

 First Day, Wednesday, January 05, 2005 (0001-0027)	 Second Day, Thursday, January 06, 2005 (0028-0033)
 Third Day, Monday, January 10, 2005 (0034-0039)	 Fourth Day, Tuesday, January 11, 2005 (0040-0044)
 Fifth Day, Wednesday, January 12, 2005 (0045-0052)	 Sixth Day, Thursday, January 13, 2005 (0053-0084)
 Seventh Day, Tuesday, January 18, 2005 (0085-0115)	 Eighth Day, Wednesday, January 19, 2005 (0116-0120)
 Ninth Day, Thursday, January 20, 2005 (0121-0137)	 Tenth Day, Monday, January 24, 2005 (0138-0142)
 Eleventh Day, Tuesday, January 25, 2005 (0143-0150)	 Twelfth Day, Wednesday, January 26, 2005 (0151-0170)
 Thirteenth Day, Thursday, January 27, 2005 (0171-0182)	 Fourteenth Day, Monday, January 31, 2005 (0183-0190)
 Fifteenth Day, Tuesday, February 01, 2005 (0191-0202)	 Sixteenth Day, Wednesday, February 02, 2005 (0203-0217)
 Seventeenth Day, Thursday, February 03, 2005 (0218-0257)	 Eighteenth Day, Monday, February 07, 2005 (0258-0265)
 Nineteenth Day, Tuesday, February 08, 2005 (0266-0271)	 Twentieth Day, Wednesday, February 09, 2005 (0272-0278)
 Twenty-First Day, Thursday, February 10, 2005 (0279-0291)	 Twenty-Second Day, Monday, February 14, 2005 (0292-0300)
 Twenty-Third Day, Tuesday, February 15, 2005 (0301-0331)	 Twenty-Fourth Day, Wednesday, February 16, 2005 (0332-0346)
 Twenty-Fifth Day, Thursday, February 17, 2005 (0347-0364)	 Twenty-Sixth Day, Monday, February 21, 2005 (0365-0374)
 Twenty-Seventh Day, Tuesday, February 22, 2005 (0375-0385)	 Twenty-Eighth Day, Wednesday, February 23, 2005 (0386-0397)
 Twenty-Ninth Day, Thursday, February 24, 2005 (0398-0410)	 Thirtieth Day, Monday, February 28, 2005 (0411-0427)
 Thirty-First Day, Tuesday, March 01, 2005 (0428-0446)	 Thirty-Second Day, Wednesday, March 02, 2005 (0447-0474)
 Thirty-Third Day, Thursday, March 03, 2005 (0475-0491)	 Thirty-Fourth Day, Monday, March 07, 2005 (0492-0503)
 Thirty-Fifth Day, Tuesday, March 08, 2005 (0504-0528)	 Thirty-Sixth Day, Wednesday, March 09, 2005 (0529-0570)
 Thirty-Seventh Day, Thursday, March 10, 2005 (0571-0598)	 Thirty-Eighth Day, Monday, March 14, 2005 (0599-0626)
 Thirty-Ninth Day, Tuesday, March 15, 2005 (0627-0660)	 Fortieth Day, Wednesday, March 16, 2005 (0661-0680)
 Forty-First Day, Thursday, March 17, 2005	 Forty-Second Day, Monday, March 22, 2005

(0681-0710)



[Forty-Third Day, Tuesday, March 29, 2005](#)
(0719-0743)



[Forty-Fifth Day, Thursday, March 31, 2005](#)
(0790-0834)



[Forty-Seventh Day, Monday, April 04, 2005](#)
(0850-0866)



[Forty-Ninth Day, Wednesday, April 06, 2005](#)
(0888-0918)



[Fifty-First Day, Friday, April 08, 2005](#)
(0944-0953)



[Fifty-Third Day, Tuesday, April 12, 2005](#)
(0972-1004)



[Fifty-Fifth Day, Thursday, April 14, 2005](#)
(1046-1074)



[Fifty-Seventh Day, Monday, April 18, 2005](#)
(1085-1115)



[Fifty-Ninth Day, Wednesday, April 20, 2005](#)
(1145-1178)



[Sixty-First Day, Friday, April 22, 2005](#)
(1207-1213)



[Sixty-Third Day, Tuesday, April 26, 2005](#)
(1231-1284)



[Sixty-Fifth Day, Thursday, April 28, 2005](#)
(1314-1349)



[Sixty-Seventh Day, Tuesday, May 03, 2005](#)
(1403-1460)



[Sixty-Ninth Day, Thursday, May 05, 2005](#)
(1501-1573)



[Seventy-First Day, Monday, May 09, 2005](#)
(1583-1620)



[Seventy-Third Day, Wednesday, May 11, 2005](#)
(1733-1835)



[Seventy-Fifth, Friday, May 13, 2005](#) (1942-2061)



[Seventy-Seventh Day, Thursday, May 26, 2005](#)
(2064-2067)



[First VETO Day, Wednesday, September 14, 2005](#)
(0001-0026)

(0711-0718)



[Forty-Fourth Day, Wednesday, March 30, 2005](#) (0744-0789)



[Forty-Sixth Day, Friday, April 01, 2005](#)
(0835-0849)



[Forty-Eighth Day, Tuesday, April 05, 2005](#)
(0867-0887)



[Fiftieth Day, Thursday, April 07, 2005](#)
(0919-0943)



[Fifty-Second Day, Monday, April 11, 2005](#)
(0954-0971)



[Fifty-Fourth Day, Wednesday, April 13, 2005](#)
(1005-1045)



[Fifty-Sixth Day, Friday, April 15, 2005](#)
(1075-1084)



[Fifty-Eighth Day, Tuesday, April 19, 2005](#)
(1116-1144)



[Sixtieth Day, Thursday, April 21, 2005](#)
(1179-1206)



[Sixty-Second Day, Monday, April 25, 2005](#)
(1214-1230)



[Sixty-Fourth Day, Wednesday, April 27, 2005](#)
(1285-1313)



[Sixty-Sixth Day, Monday, May 02, 2005](#)
(1350-1402)



[Sixty-Eighth Day, Wednesday, May 04, 2005](#)
(1462-1500)



[Seventieth Day, Friday, May 06, 2005](#) (1574-1582)



[Seventy-Second Day, Tuesday, May 10, 2005](#)
(1621-1732)



[Seventy-Fourth Day, Thursday, May 12, 2005](#)
(1836-1941)



[Seventy-Sixth Day, Thursday, May 19, 2005](#)
(2062-2063)

Journal of the House

NINETY-THIRD GENERAL ASSEMBLY of the STATE OF MISSOURI FIRST REGULAR SESSION

FIRST DAY, WEDNESDAY, JANUARY 5, 2005

The House was called to order at twelve o'clock noon by the Honorable Matt Blunt, Secretary of State.

Prayer by Reverend Bill Jetton.

Heavenly Father,

We praise You for the opportunity to gather today. We praise You as Creator and Sustainer of all around us. I pray for this body of legislators and ask that You give them Your wisdom, understanding and guidance as they make decisions on legislation within the State of Missouri. Help them have Your direction from the inside out.

Thank You for the blessings You have poured out on us and we ask for Your continued blessings for the future.

We pray in the name of Jesus in whom we believe. Amen.

ADDRESS BY SECRETARY OF STATE MATT BLUNT

It is a great privilege for me to preside over this ceremony marking the beginning of another legislative session in our state's proud history. Although today marks the last time I will appear before you in this chamber as your Secretary of State, I look forward to returning in just a few weeks to share with you my vision for moving our state forward. Today I will keep my remarks brief. Next time you will not be so fortunate.

One reason for my attempt at brevity is so that attention will fall where it belongs-on you and your achievement.

One of the highest honors in representative government is to be asked to represent the principles and interests of your neighbors and fellow citizens in a legislative body.

I want to congratulate each one of you on being given the high privilege of representing the people of your district in the Missouri General Assembly. I encourage you to bring the viewpoints, values and the interests of your districts to your work here in our state's Capitol.

As you begin to work on the challenges facing our public schools, improving our state's economy so that every Missourian that is willing and able to work can find a job and ensuring that quality health care is available and affordable to citizens in every region of our state, I urge you to do so in a spirit of cooperation, intently focused on creating a government worthy of the people it serves.

Though the challenges that confront us are great, the opportunity to make a difference and to improve the quality of life for all of our state's citizens lies before us. Let me pledge today what I will reiterate next week and throughout every day of this session. You will have my attention and cooperation as we work together to build a better Missouri.

I congratulate your families and friends who have joined you here today for their hard work and belief in your potential to make a positive difference for the future.

Thank you for the time and energy you have given and will give to help make Missouri a leader.

May God continue to bless each and every one of you, our state and our nation.

COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable House of Representatives of the 93rd General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri 2002, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 93rd General Assembly (First Regular Session) of the State of Missouri, elected at the General Election held on November 2, 2004.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 4th day of January, 2005.

/s/ Matt Blunt
SECRETARY OF STATE

MISSOURI HOUSE OF REPRESENTATIVES 93rd General Assembly, First Regular Session

District	Name
1st	Brian Munzlinger
2nd	Robert J. (Bob) Behnen
3rd	Jim Whorton
4th	Brad Lager
5th	Jim Guest
6th	Rachel Bringer
7th	John Quinn
8th	Kathy L. Chinn
9th	Wes Shoemyer
10th	Terry L. Witte
11th	Wayne J. Henke
12th	Sherman Parker
13th	Scott T. Rupp
14th	Joe Smith
15th	Sally A. Faith
16th	Carl L. Bearden
17th	Vicki Schneider
18th	Tom Dempsey
19th	Cynthia L. Davis
20th	Danielle (Danie) Moore
21st	Steve Hobbs
22nd	Therese Sander
23rd	Jeff Harris
24th	Ed Robb
25th	Judy Baker
26th	Joe Aull
27th	Ed Wildberger
28th	Rob Schaaf
29th	Martin T. Rucker
30th	Jason Brown
31st	Trent Skaggs
32nd	Susan Phillips
33rd	Jerry Nolte
34th	Tim Flook
35th	Doug Ervin
36th	Bob Nance
37th	Sharon Sanders Brooks
38th	(vacancy)
39th	Beth Low
40th	John Patrick Burnett

41st	Melba J. Curls
42nd	Leonard (Jonas) Hughes IV
43rd	Craig C. Bland
44th	Jenee Lowe
45th	Cathy Jolly
46th	Kate Meiners
47th	Robert Thane (Bob) Johnson
48th	Will Kraus
49th	Terry Young
50th	Michael R. Brown
51st	Ray Salva
52nd	Paul LeVota
53rd	Curt Dougherty
54th	Gary Dusenberg
55th	Bryan Pratt
56th	Brian Yates
57th	Yaphett El-Amin
58th	Rodney R. Hubbard
59th	Jeanette Mott Oxford
60th	Amber (Holly) Boykins
61st	Connie (LaJoyce) Johnson
62nd	Dennis Wood
63rd	Robin Wright Jones
64th	Rachel Storch
65th	Fred Kratky
66th	Michael Vogt
67th	Michael Daus
68th	David Sater
69th	Gina Walsh
70th	John L. Bowman, Sr.
71st	Esther Hill Haywood
72nd	Maria N. Chappelle-Nadal
73rd	Margaret Donnelly
74th	Thomas (Tom) George
75th	Bruce Darrough
76th	Michael Spreng
77th	Michael George Corcoran
78th	Clint Zweifel
79th	Albert J. (Al) Liese
80th	Theodore (Ted) Hoskins
81st	Juanita Head Walton
82nd	Sam Page
83rd	Barbara Fraser
84th	Allen Icet
85th	Jim Lembke
86th	Jane Cunningham
87th	T. Scott Muschany
88th	Neal St. Onge
89th	Jack Jackson
90th	Richard K. (Rick) Johnson
91st	Kathlyn Fares
92nd	Charles R. Portwood
93rd	Jodi A. Stefanick
94th	Richard G. Byrd
95th	Jim Avery
96th	Patricia (Pat) Yaeger
97th	Walt Bivins
98th	Brian Nieves
99th	Mike Sutherland
100th	Sue Schoemehl
101st	Timothy G. (Tim) Meadows
102nd	Jeff Roorda
103rd	Ron Casey
104th	Wes Wagner
105th	Harold R. Selby

106th	Steven Tilley
107th	Brad Robinson
108th	Thomas Albert Villa
109th	Kevin Threlkeld
110th	Belinda Harris
111th	Charlie Schlottach
112th	Tom Loehner
113th	Mark J. Bruns
114th	Bill Deeken
115th	Rodney Schad
116th	Tom Self
117th	Kenny Jones
118th	Todd Smith
119th	Larry D. Wilson
120th	Shannon Cooper
121st	David Pearce
122nd	Mike McGhee
123rd	Brian L. Baker
124th	Rex Rector
125th	Barney Fisher
126th	Ed Emery
127th	Steve Hunter
128th	Bryan P. Stevenson
129th	Ron Richard
130th	Kevin Wilson
131st	Marilyn Ruestman
132nd	Jack Goodman
133rd	Mike Parson
134th	James Viebrock
135th	Charlie Denison
136th	B.J. Marsh
137th	Mark Wright
138th	Sara Lampe
139th	Brad Roark
140th	Bob Dixon
141st	Jay Wasson
142nd	Raymond (Ray) Weter
143rd	Maynard Wallace
144th	Van Kelly
145th	Mike Cunningham
146th	Darrell Pollock
147th	Don Wells
148th	David Day
149th	Bob May
150th	Frank Barnitz
151st	Ward Franz
152nd	J.C. Kuessner
153rd	Mike Dethrow
154th	Gayle Kingery
155th	Wayne Cooper
156th	Rodney (Rod) Jetton
157th	Scott A. Lipke
158th	Nathan D. Cooper
159th	Billy Pat Wright
160th	Peter Myers
161st	Lanie Black
162nd	Terry Swinger
163rd	Otto Bean, Jr.

The following roll call indicated a majority of the Representatives present:

AYES: 160

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones 117	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones 63	Yaeger	Yates	Young	Zweifel

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Curls

VACANCIES: 001

The following Representatives advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Ronnie L. White, Chief Justice of the Supreme Court of Missouri.

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Jetton	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones 117	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May

McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones 63	Yaeger	Yates	Young	Zweifel

NOMINATIONS FOR TEMPORARY SPEAKER

Representative Ervin nominated Representative Bob Dixon for temporary Speaker of the House.

Representative Dethrow seconded the nomination.

Representative Haywood nominated Representative Robin Wright-Jones as temporary Speaker of the House.

Representative Fraser seconded the nomination.

Representative Wright-Jones withdrew her nomination.

Representative Dempsey moved that nominations cease and that Representative Dixon be elected temporary Speaker of the House by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Dixon to the dais: Representatives Hunter, Dethrow, Wright (159), Pratt, Pollock, Sander, Bringer, Brooks, Darrough and Bowman.

Representative Dixon assumed the Chair.

ADDRESS BY TEMPORARY SPEAKER BOB DIXON

Thank you Mr. Secretary and Your Excellency-Elect.

As we open the 93rd General Assembly, I congratulate each member on being elected to this august body. Regardless of party affiliation, the significance of this day and our motivation is the same. We are here solely because our constituents sent us here, and we are here solely to serve the people of Missouri.

Serving in this Chamber and presiding as temporary Speaker of the House indeed is an honor. I am pleased to welcome each of our family members, guests, constituents, friends, former members and fellow Missourians. Surely, it is you who have made this day possible.

I am especially proud to be accompanied by my family... My lovely and talented wife, Amanda, without whom, I would be nothing; my daughters Grace and Rose; My mother Jean, a former member of this House and the first lady elected to it from Greene County; and my grandmother Mary who has devoted her entire life to instilling godly values in her Children and Grandchildren... one of the reasons I even stand in this chamber today. From the depths of my soul, I thank each of them for the sacrifices they have made so that I can serve the people of the 140th district, and I ask the members to help me honor them today.

The prayers and support of our families, friends and constituents under gird this chamber and serve as a mighty foundation. May God, by His grace, cause it to carry on.

In ushering in this new era, with our sights set upon the principles of good government, the rule of law, and the well being of the people, I now declare that nominations are in order for the Speaker of the House.

NOMINATIONS FOR SPEAKER

Representative Behnen nominated Representative Rod Jetton for Speaker of the House.

Representative Stefanick seconded the nomination.

Representative George nominated Representative Jeff Harris for Speaker of the House.

Representative Harris (23) withdrew his nomination.

Representative Dempsey moved that nominations cease and that Representative Jetton be elected Speaker of the House by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Jetton to the dais: Representatives Behnen, Byrd, Richard, Ervin, Jones (117), Phillips, Witte, Rucker, Walsh and Baker (25).

Representative Jetton subscribed to the oath of office which was administered by the Honorable Stephen N. Limbaugh, Jr., Judge of the Supreme Court of Missouri.

Speaker Jetton assumed the Chair.

ADDRESS BY SPEAKER ROD JETTON

Speaker Sets New Tone

Every two years a new Speaker takes a few moments to talk about the direction the House will take in the new legislative session.

Thanks to your support it is my honor as your Speaker to deliver a few brief remarks on our future together over the next two years.

Today, I stand before you not to dictate exactly what the house will do, but hopefully to lay out a few guidelines and goals that will help us, yes all of us, both Republican and Democrat, those from rural, urban, or suburban Missouri and make this a better state to live in.

I have been in the Missouri House for four years: two years in the minority and two years in the majority. I have had an opportunity to see the process work from both sides of the fence. In my four years I have seen too much partisan fighting and not enough working together on the issues effecting Missouri's citizens. I have seen too many representatives worrying more about how a bill effects their re-election than how it will affect our state.

We should represent our districts, we should be proud of our party, BUT we should never let our party or our interest in getting re-elected overshadow what is best for the state of Missouri as a whole.

We also have a new development that has made it harder to pass laws in Missouri-Term limits.

Term limits have changed Jefferson City. No longer do we have experts who have heard both sides of an argument for 10 years and know the history of what has been done.

We need rule changes that will allow the bulk of law writing to be done in committee where hopefully we have members from both parties who have become experts in that area of the law.

We also need to change the way we debate the important issues facing Missouri. We should follow the federal example of setting time limits on debate of major bills. This time should be split evenly, yes evenly, between the Republicans and Democrats.

This would improve the process in three ways:

Ensure that both the majority and minority have a chance to make the best case for their position.

Allow the leaders of each side to let the most knowledgeable members on that subject to debate the merits of their argument.

Cut out occasional comments from members that simply play to the press or inflame partisan fighting.

For four years I have heard how partisan the leaders of the House have been. My first two years it was how bad the Democrats were. My last two it has been how bad the Republicans have been. In my view it wasn't the Democrats that caused partisan bickering and it's not the Republicans. It was a system that was designed to foster debate on issues. Unfortunately that system ended up fostering partisan bickering that all too often turned into personal attacks and killed good legislation. Debate should NOT be about sound bites, but substance.

We can change that. We have great people from all over the state of Missouri that have been elected to serve this state and they sincerely want to make things better.

Do we agree on everything? No we do not, we have major disagreements on how to make Missouri a better place to live, and many times these disagreements do not break down along party lines, but I have learned over the last four years that we all want to make this state better.

Let me give you an example. Representative Barbara Fraser from St. Louis County and I have totally different views on almost every major issue. I am a bit more conservative than she is...well, okay I'm much more conservative than she is. Over the last four years we have debated one another many times. I am sure she wonders how I can be so wrong on so many issues. Most observers would see no reason why Representative Fraser and myself should be friends, but that is exactly what we have become over these last four years. You may wonder why?

Well, it's because I learned that she sincerely wanted to make this state better. That she was a teacher, she had children, and she cared about people, just like me. What I discovered was Representative Fraser wanted the same things I wanted. She wanted this state to be better; she was just taking a different path to get there.

Do I always agree with her? No. Does she always agree with me? Certainly not. Can we work together to find solutions to Missouri's problems that hopefully will make this state better? Yes, we have before and we can again!!

This House should adopt a system of rules that allows for spirited debate on the merits of an issue. A process that is constructive and produces good laws that will make this state better. One that will give the minority a chance to have active participation in developing laws and ensures their voice is heard; while still allowing the majority to make certain the business of Missouri gets done.

These changes will create the most bi-partisan rules ever adopted by the Missouri House.

You are probably asking why with 97 Republicans and a 31-vote margin I would advocate such a change.

It's a good question, and the same one Representative Jeff Harris asked me when I shared these ideas with him. It's also the same question many of the members of my majority caucus asked me when I first talked about these changes.

Very simply, the reason we should add these changes is because it's the right thing to do for Missouri.

Why not change the system and allow for constructive debate on the important issues of our day? Why not try to improve our process and write better laws? We must remember that the citizens of this state have to actually live by the laws we pass. We owe it to those we serve to do our very best to consider all the ramifications of each and every bill we pass. These proposed changes will help us do that better.

My grandmother had a simple saying that applies to our rules, "Good better best, never let it rest, until your good is better, and your better is best," let me say that again. "Good better best, never let it rest, until your good is better, and your better is best." Our system is good. But it can be better and we should strive to make it the best it can be.

Besides talking about our rules there are two principles that we should remember as we are tackling the tough issues affecting our state.

Personal Responsibility
Self Interest

Personal Responsibility - we should always try to design programs that encourage and reward personal responsibility and independence.

One program that encourages personal responsibility is the Bright Flight Scholarship Program. The program is designed to help Missouri students go to college. High school students who get a 30 or higher on their ACT receive the scholarship, which is worth up to \$10,000 over 5 years. However, in order to get and keep the money there are standards the students have to meet. They must go to a Missouri university, they must stay enrolled full time and they must maintain a minimum grade point level. This program has helped over 8,100 students go to college in the last year alone, and has kept them in college by holding them accountable to a level of performance. Thanks to this program there are many hardworking students getting state assistance to further their education. Isn't this the model that we should look to as we address the issues of the future?

When we ignore the importance of Personal Responsibility we end up with programs that reward failure, breed abuse and deprive the truly needy of vital services.

Also, when passing laws we cannot forget about the influence and greed of self-interest.

Let me give you an example.

I recently received a letter from a constituent in Marble Hill.

She told me how she and her husband had been swindled for over \$50,000 by a crooked contractor. He told them he needed the money up front in order to purchase supplies and labor for the project. But he took the money and used it for something else, never ordering the supplies and never doing the work. This contractor was prosecuted but got off on a technicality. Then in civil court he admitted to defrauding the couple. However, he quit doing business to avoid repaying the money he received for services he never gave.

Now my constituent has to live with an unfinished house, a loss of tens of thousands of dollars and no one to turn to for help. State government has a responsibility to recognize that sometimes due to greed and self interest people get hurt. In these instances we must act!

With these principles of Personal Responsibility and Self Interest in mind, we must spend this session working to tackle the major issues facing our state.

There are four things we must accomplish this session:

Building a stronger economy and creating jobs;
Make government more accountable and spend every dollar wisely;
Properly fund needed services; AND
Protect the traditional family values that made our state great.

There are three pillars to rebuilding our fragile economy.

First, we must pass meaningful legal reform that will keep doctors and jobs in Missouri!

Next, we must reform our broken workman's compensation system, to protect both workers and employers.

Finally, we have to hold MoDOT accountable and build the roads Missouri needs!

By growing our economy and creating jobs we will bring more revenue into state government to fund needed services; while at the same time holding Missouri government accountable.

We can do this by looking for areas to cut the fat out of the state budget, by continuing to root out the waste and inefficiency in our state bureaucracy and cutting programs that are ineffective and unproductive.

When the economy is firing on all cylinders and the unnecessary fat is cut from state spending we will be able to better fund needed programs like education, social services, and healthcare.

Our first responsibility is to our children. They deserve an education second to none and we must create a formula that is fair for every child in Missouri.

All of our work to improve our economy, preserve our tax dollars, and fund our most necessary programs mean nothing if we turn our backs on the traditional family values that form the foundation for this great state. We are entrusted with this duty to protect our ways of life.

Thankfully, Missourians already joined together and overwhelmingly ratified traditional marriage. But we cannot afford to assume the battle is over. And we must resist those who would manipulate the Constitution to justify eliminating God from our society.

These issues are not Republican or Democrat. These issues are important to all Missourians.

If you have a wreck in your car on the road no one asks if you are a Republican or a Democrat you just need help.

If you are a kid in Marble Hill, Missouri attending school in a poor rural district, it doesn't matter if you're a Republican or Democrat you just need a good education.

If you lose your job and can't pay your bills, nobody cares if you're a Republican or Democrat you just need a job.

What matters is that we are all Missourians and we all have an obligation to use the positions we have been given to work for a better Missouri.

The reforms proposed today are not designed to stop spirited debate on the important issues. It is my hope that we can foster a system that encourages vigorous and principled debate on all the important issues. Whether we are working on legal reform, welfare reform, transportation, or education we will pass better laws for Missouri that will make this state better if we keep our focus on the issues and not on personalities or parties.

I believe if we go forward with a bi-partisan spirit of cooperation, and consider how personal responsibility and self-interest affect the laws we pass we will be successful.

May each of us in two years look back and say we built a better Missouri.

I want to leave you with one last story. As a history major, I love to read about our founding fathers and the start of our country. At the Constitutional Convention the Federalist and Anti-Federalist members were at odds about our Constitution. They vigorously argued their points several times and it almost broke up in failure. But they came together and produced one of the greatest documents ever created, one we still live by today.

After it was over, members of both sides thought that they had given in too much and due to the compromises, believed it would be a failed government. We know that they succeeded on a grander scale than they ever could have imagined.

Many times, over the last four years, I have felt strongly that I was right on my point of view. I didn't want to give in to any other idea. But also, over those four years, I have thought about our Founding Fathers and how they compromised even when they thought they were right and through their compromise gave us the best government ever.

I hope we can all follow the example of our Founders and work together in a bi-partisan way to make this state better.

If we do, I am confident that we will look back in two years and know that we have given our citizens the best state and country to live in.

Thank you, God bless you, and God bless Missouri!

NOMINATIONS FOR SPEAKER PRO TEM

Representative Cooper (120) nominated Representative Carl Bearden for Speaker Pro Tem of the House.

Representative Myers seconded the nomination.

Representative Donnelly nominated Representative Paul LeVota for Speaker Pro Tem.

Representative LeVota withdrew his nomination.

Representative Dempsey moved that nominations cease and that Representative Bearden be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Bearden to the dais: Representatives Faith, Robb, Bruns, Rector, Smith (14), Self, Harris (110), Chappelle-Nadal, Salva and Shoemyer.

Representative Bearden subscribed to the oath of office which was administered by the Honorable Mary Russell, Judge of the Supreme Court of Missouri.

Speaker Pro Tem Bearden assumed the Chair.

ADDRESS BY SPEAKER PRO TEM BEARDEN

Plotting A New Course for Missouri

Mr. Speaker, Governor-elect Blunt, Auditor McCaskill, Treasurer-elect Steelman, Attorney General Nixon, Justices of the Court, and Members of the General Assembly, thank you for the opportunity to serve as your Speaker Pro Tem of the House of Representatives. It is a privilege that brings with it great responsibility. I will cherish this opportunity to serve Missourians and will strive to fulfill my responsibilities with integrity, honor, and conviction.

Sometime ago, I came across a sign that read, “What is popular is not always right; what is right is not always popular.” This sign encapsulates my approach to governing and my commitment to making principled decisions.

As your Speaker Pro Tem I make only one promise. When critical decisions arise, I will listen to multiple perspectives, weigh the options before me, and make principled decisions based on what is right not necessarily what is popular.

We, the members of the 93rd General Assembly, have before us an extraordinary opportunity to be captains of change in our state. Together we can chart a course into the open waters of Missouri’s future that is optimistic and hopeful, but that is tempered through principled pragmatism. This course can lead Missouri families to great prosperity and abounding opportunities. Together we can establish a new tone in Jefferson City – and throughout Missouri – that goes beyond political rhetoric by demonstrating hope and collaboration. Together, we can forge stronger, better solutions that have a positive effect throughout state government, and in the hearts & minds of those that we serve.

We must all remember partisanship has a place and function in our republic. The will of the majority should and will be advanced. But it is important to recognize that our republic only functions when the rights of the minority party are protected and observed. Members of the majority party must act in good faith to consider ideas advanced by the minority party on their merits, not merely through the spectacle of partisan politics.

Look around you. We are blessed to serve Missourians in this great Chamber. Together we can honor all Missouri public servants by pouring our hearts, minds, and souls into the decisions that we make with particular focus on doing what is right rather than what is popular. We owe this to the Missourians that have elected us, and owe far more to those thousands of Missourians and fellow countrymen that have given their lives to protect and defend the freedoms guaranteed to us in the federal and state Constitutions.

Growing up in Wayne County, I was a privileged child. My parents were not wealthy nor were we a more-than-average social standing in our small town of Piedmont, Missouri. The privilege that I speak of is that I had two wonderful parents willing to instill in me traditional Missouri values. It is these values that guide my life, my actions, and my decisions as a public servant.

It was they that passed on to me the importance of a strong and supportive family to a fulfilling life. Families are the foundation for success in our great state. I am privileged to have with me today, members of my family. Joining us is my wife of 30 years, Debbie, and our youngest daughter Allison. Our oldest daughter Amber recently graduated from college and is currently living with her husband in Oklahoma.

Throughout my four years of service in the House and even before, the members of my family have sacrificed more than I thought possible to ensure my success as a public servant. Debbie has been a steady hand and heart when I have struggled with decisions that affect so many. She has also done an extraordinary job at helping our daughter Allison grow into a wonderful young woman that will soon be ready to depart for college. Thank you both.

It is the hard-working families of Missouri that establish the basis for our economy, our political system, and the endless opportunities for success in our state. Ronald Reagan once said "Government must keep pace with the changing needs of our state and its people to be sure that government can fulfill its legitimate obligations."

To ensure our state's ability to adapt to the changing needs of Missourians, our future rests with new policies aimed at strengthening families through job creation, expanded educational opportunities, and more effective, efficient stewardship of state tax dollars.

My travels throughout Missouri have provided me the opportunity to hear first hand accounts about the importance of education, the affects of plant closings, lost jobs, and the rising cost of health insurance on Missouri families. Tragically, the extraordinary ability and resourcefulness of our Missouri families has been stifled by outdated government structures and failing regulatory policies. While Missouri's economy is growing, so too are the needs and demands of hard-working families. New policies must be adopted that ensure Missouri utilizes an aggressive and competitive strategy to remain on the leading edge of job creation and healthcare protection efforts.

Missouri families have consistently echoed the common need for protecting our future by expanding educational opportunities in our state. During the current fiscal year, our public schools were provided the largest education budget in state history. But money alone is not enough. We must quickly turn our attention to policies aimed at ensuring education dollars are distributed equitably.

The current system for funding education must be reformed to ensure that dollars will be distributed fairly regardless of the amount of money being spent. To ensure the viability of this goal, previous efforts to ensure that dollars actually reach our classrooms, and not just the bureaucracy, must be expanded.

Missouri must also look beyond traditional K-12 education models and integrate effective higher education programs into our formula for sustainable economic growth. Successful programs in higher education like our A+ schools program should be used as a model for distributing higher education funds in Missouri. This will maximize the ability of Missouri college and university students to compete in the new job markets of the 21st century, while ensuring that higher education dollars are spent in classrooms rather than on additional administrative growth. Expanding education opportunities must be supported with reforms affecting job creation in the state.

We need comprehensive reforms to our workers' compensation laws, unemployment insurance laws, and civil justice system that stop abuses at taxpayer expense. Each time an employer pays out an excessive workers' compensation or unemployment claim based on an egregious abuse by one employee, costs associated with that claim are passed onto other Missouri families that are struggling to put food on the table.

Every lawsuit that results in extraordinary and excessive judgments for one Missourian places affordable healthcare out of the reach of yet another Missouri family. It is wrong to reward those seeking to abuse the system for personal gain at the expense of those hard-working Missourians that are building the future of our state.

We need to overhaul our workers' compensation system, regain control of our unemployment insurance system, and enact tort reforms to ensure hard-working Missouri families will be able to put food on the table and maintain access to affordable healthcare.

Perhaps the most important method of protecting Missouri families is by ensuring that we, the members of the 93rd General Assembly, are good stewards of taxpayer dollars. It is our responsibility to ensure that each tax dollar invested in a state program or service is being used in an effective and efficient manner. We must work together to continue reviewing every state program and service to eliminate spending that is wasteful or ineffective.

Missouri must also enact reforms aimed at ensuring more stability and predictability to our state budget. Serious consideration must be given to policies aimed at ensuring that state government lives within its means by limiting growth in state spending to the amount being collected in a single year.

Had Missouri's legislatures of the 1990's built budgets on revenues gained only in a single year rather than spending down Missouri's emergency savings accounts, many of the difficult financial decisions made in recent years would not have been necessary.

The future of our state rests with new policies aimed at strengthening families through job creation, expanded educational opportunities, and more effective, efficient stewardship of state tax dollars. But these efforts alone will not

provide the course for a successful and bright future for our Missouri. Only together can we chart a course to a brighter, better future for Missouri that is based on the virtue of principled and pragmatic decisions.

I am confident that together we will make Missouri a better place to work, live, and raise a family.

Thank you for the privilege of serving as Speaker Pro Tem of the Missouri House of Representatives.

Speaker Jetton resumed the Chair.

Pursuant to Section 9.141 RSMo, the Bill of Rights was read by Miss Tonya Arnzen of Leopold High School.

BILL OF RIGHTS

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

HOUSE RESOLUTIONS

Representative Dempsey offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED that the Rules of the House of Representatives be suspended and the following be elected permanent officers of the House of Representatives of the Ninety-third General Assembly:

Chief Clerk.....Stephen S. Davis
Doorkeeper.....Alexander Graham Bell
Sergeant-at-Arms.....Ralph Robinett
Chaplains.....Father David Buescher and Reverend James Earl Jackson

On motion of Representative Dempsey, **House Resolution No. 1** was adopted.

The following officers subscribed to the oath of office, which was administered by the Honorable Rod Jetton, Speaker of the House.

Chief Clerk.....Stephen S. Davis
Doorkeeper..... Alexander Graham Bell
Sergeant-at-Arms.....Ralph Robinett
Chaplains.....Father David Buescher and Reverend James Earl Jackson

Representative Dempsey offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED that the Chief Clerk of the House of Representatives of the Ninety-third General Assembly, First Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives of the Ninety-third General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers to wit:

Speaker.....Rod Jetton
Speaker Pro Tem.....Carl Bearden
Chief Clerk.....Stephen S. Davis
Doorkeeper.....Alexander Graham Bell
Sergeant-at-Arms.....Ralph Robinett
Chaplains.....Father David Buescher and Reverend James Earl Jackson

On motion of Representative Dempsey, **House Resolution No. 2** was adopted.

Representative Dempsey offered **House Resolution No. 3**, which was read.

HOUSE RESOLUTION NO. 3

BE IT RESOLVED that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-third General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Dempsey, **House Resolution No. 3** was adopted.

Representative Dempsey offered **House Resolution No. 4**, which was read.

HOUSE RESOLUTION NO. 4

WHEREAS, the members of the Missouri House of Representatives take great pride in recognizing those outstanding public servants who have consistently performed their official duties with the highest degree of dedication, competence, and integrity; and

WHEREAS, the Honorable Matt Blunt is to be praised and commended for the conscientious and effective manner in which he has performed his duty of presiding over the deliberations of the House of Representatives prior to its temporary organization, one of the numerous responsibilities of the Secretary of State pursuant to the Constitution of the Great State of Missouri; and

WHEREAS, since taking the oath on January 8, 2001, the Honorable Matt Blunt has distinguished himself through tireless commitment to each and every one of his responsibilities as Secretary of State; and

WHEREAS, during his distinguished naval career, Matt Blunt served on the *USS JACK WILLIAMS* and the *USS PETERSON*, participated in Operation Support Democracy, and has received numerous commendations including three Navy and Marine Corps Achievement Medals and a Humanitarian Service medal; and

WHEREAS, during his tenure in office, Matt Blunt's primary goal is to make the Secretary of State's office more "efficient and accessible to all Missourians" and he is committed to a belief that the Elections process must be above politics:

NOW THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, join unanimously in expressing sincere appreciation and deep gratitude to the Honorable Matt Blunt for the proud and faithful manner in which he has served this legislative body and in wishing him only the best in his continuing endeavors to meet the needs of Missouri's citizens by providing them with the finest quality of service and information available through the office of the Governor; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Matt Blunt as a mark of our esteem for him.

On motion of Representative Dempsey, **House Resolution No. 4** was adopted.

Representative Dempsey offered **House Resolution No. 5**, which was read.

HOUSE RESOLUTION NO. 5

WHEREAS, as the Ninety-third General Assembly of the State of Missouri convenes on Wednesday, January 5, 2005, the members of the Missouri House of Representatives proudly acknowledge services rendered to the General Assembly by distinguished public servants of this fair state; and

WHEREAS, the Honorable Ronnie White, Justice of the Supreme Court of Missouri, deserves countless words of praise and commendation for the selfless manner in which he has given his valuable time to administer the oath of office to members of this legislative body in accordance with Missouri law; and

WHEREAS, during the inaugural session of the House of Representatives, Justice White displayed the highest degree of dedication in continuing the long-established tradition of rendering a sense of both dignity and solemnity in the prestigious ceremony which marks the official beginning of each legislator's two-year term in office as an elected representative of the people of Missouri; and

WHEREAS, it is entirely fitting and proper that this legislative body should take pause to applaud the numerous laudable achievements of the Honorable Ronnie White during his exemplary legal career:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, join unanimously in expressing our most sincere thanks and deepest appreciation to the Honorable Ronnie White for the devoted and faithful manner in which he has served this body and further extend our very best wishes for continued great success and even more outstanding accomplishments in executing his numerous varied duties and responsibilities as a Justice of our State's Highest Court; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Ronnie White as a mark of our esteem for him.

On motion of Representative Dempsey, **House Resolution No. 5** was adopted.

HOUSE CONCURRENT RESOLUTIONS

Representative Dempsey offered **House Concurrent Resolution No. 1**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED by the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene a joint session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 12, 2005, to receive a message from His Honor Ronnie L. White, the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER resolved that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and Senate of the Ninety-third General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Dempsey, **House Concurrent Resolution No. 1** was adopted.

Representative Dempsey offered **House Concurrent Resolution No. 2**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED by the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene a joint session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 26, 2005, to receive a message from His Excellency, the Honorable Matt Blunt, Governor of the State of Missouri; and

BE IT FURTHER resolved that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-third General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Dempsey, **House Concurrent Resolution No. 2** was adopted.

Representative Jackson offered House Concurrent Resolution No. 3.
Representative Burnett offered House Concurrent Resolution No. 4.

HOUSE RESOLUTIONS

Representative Dempsey offered **House Resolution No. 6**.

HOUSE RESOLUTION NO. 6

BE IT RESOLVED that the Rules of the House of Representatives of the Ninety-second General Assembly, and all amendments thereto, be the temporary Rules of the House of Representatives of the Ninety-third General Assembly, until or unless otherwise ordered.

On motion of Representative Dempsey, **House Resolution No. 6** was adopted.

Representative Avery offered House Resolution No. 11.

Representative Avery offered House Resolution No. 12.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 7

and

House Resolution No. 8 - Representative Munzlinger

House Resolution No. 9

and

House Resolution No. 10 - Representative Jetton

House Resolution No. 13 - Representative Guest

House Resolution No. 14 - Representative Bivins

House Resolution No. 15 - Representative Icet

House Resolution No. 16 - Representative Cooper (120)

House Resolution No. 17

and

House Resolution No. 18 - Representative Flook

House Resolution No. 19 - Representative Whorton

House Resolution No. 20 - Representative Viebrock

House Resolution No. 21 - Representative Bruns

House Resolution No. 22

through

House Resolution No. 24 - Representative Munzlinger

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 1, introduced by Representative Johnson (47), relating to legislative term limits.

HJR 2, introduced by Representatives Threlkeld and Yates, relating to the general assembly.

HJR 3, introduced by Representatives Whorton, Harris (110), Wood and Sater, relating to the right to hunt, fish and harvest game.

HJR 5, introduced by Representative Cooper (158), relating to appropriations for public education.

HJR 6, introduced by Representatives Dusenberg, Yates, Kraus, Brown, Sater, Bivens and LeVota, relating to the department of transportation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 26, introduced by Representatives Marsh, Roark, Dixon, Viebrock, Wasson, Walton, Parker, Villa, Bearden, Dempsey, Cunningham (145), Goodman, Ruestman, Hunter, Nieves, Schlottach,

Phillips, Bishop, Dethrow, Richard, Stevenson, Emery, Wilson (130), Wood, Wilson (119), Jackson, Bivins, Schneider, Davis, Kingery, Moore, Kuessner, St. Onge and Young, relating to Southwest Missouri State University.

HB 27, introduced by Representatives Cooper (120) and Kratky, relating to punishment.

HB 28, introduced by Representative Cooper (120), relating to noxious weeds.

HB 29, introduced by Representatives Schaaf, Wildberger and Rucker, relating to state institutions of higher education.

HB 30, introduced by Representative Schaaf, relating to health insurance coverage for clinical trials.

HB 31, introduced by Representative Schaaf, relating to prevention, screening, and treatment of lead poisoning.

HB 32, introduced by Representative Schaaf, relating to the Missouri catalog of assistance programs.

HB 33, introduced by Representative Phillips, relating to state emblems.

HB 34, introduced by Representatives Davis, Cunningham (86), Flook, Sater, Moore and Emery, relating to human sexuality instruction.

HB 35, introduced by Representatives Davis and Emery, relating to biology textbooks.

HB 36, introduced by Representatives Davis and Sater, relating to rights of pregnant women.

HB 37, introduced by Representative Davis, relating to a property tax credit for certain educational expenses.

HB 38, introduced by Representative Jackson, relating to a tax refund designation for law enforcement.

HB 39, introduced by Representative Jackson, relating to school facilities.

HB 40, introduced by Representative Tilley, relating to industrial development corporations.

HB 41, introduced by Representatives Sater and Fisher, relating to drug testing of Medicaid recipients.

HB 43, introduced by Representative Wallace, relating to the designation of a memorial highway.

HB 44, introduced by Representative Johnson (47), relating to limitations on campaign contributions.

HB 45, introduced by Representative Johnson (47), relating to tax increment financing guidelines.

HB 46, introduced by Representative Burnett, relating to nuisance actions.

HB 47, introduced by Representatives Brown and Dusenberg, relating to consolidated public library districts.

HB 48, introduced by Representative Dougherty, relating to local sales taxes for museum and tourism-related activities.

HB 49, introduced by Representatives Jolly and Harris (23), relating to prior or persistent offenders.

HB 50, introduced by Representatives Harris (23) and Jolly, relating to rights of crime victims and witnesses.

HB 51, introduced by Representative Johnson (90), relating to school district transportation.

HB 52, introduced by Representative Selby, relating to a sales tax exemption for certain vehicles.

HB 53, introduced by Representatives Swinger and Bean, relating to the Governor John M. Dalton Memorial Highway.

HB 54, introduced by Representatives Dixon and Denison, relating to school district tax alternatives.

HB 55, introduced by Representatives Johnson (47), Dusenberg, Yates, Lowe (44), Meiners and Pratt, relating to state aid for public schools.

HB 56, introduced by Representatives Threlkeld, Behnen, Cooper (155), Donnelly and Sutherland, relating to multiple sclerosis.

HB 57, introduced by Representatives Threlkeld and Villa, relating to the criminal use of audiovisual recording devices.

HB 58, introduced by Representatives Johnson (47), Smith (118) and Schneider, relating to political subdivisions.

HB 59, introduced by Representatives Johnson (47) and Kraus, relating to pharmacy licenses and permits.

HB 60, introduced by Representatives Johnson (47) and Kraus, relating to the Missouri Rx card program.

HB 61, introduced by Representatives Schaaf and Threlkeld, relating to the medical imaging and radiation therapy quality assurance act.

HB 62, introduced by Representatives Ruestman, Nieves, Dempsey, Bean, Fisher and Lipke, relating to the designation of a memorial highway.

HB 63, introduced by Representatives Sutherland, Threlkeld, Page, Harris (110) and Ervin, relating to the senior citizens' homestead tax relief act.

HB 64, introduced by Representatives Sutherland, Rupp, Smith (14) and Sater, relating to a sales tax holiday.

HB 65, introduced by Representative Wallace, relating to a motor fuel tax exemption for school districts.

HB 66, introduced by Representative Wallace, relating to voter registration.

HB 67, introduced by Representatives Cooper (120) and Wasson, relating to for-hire motor carriers.

HB 69, introduced by Representative Rupp, relating to investments of insurers.

HB 70, introduced by Representative Bland, relating to the lottery.

HB 71, introduced by Representative Bland, relating to gaming.

HB 72, introduced by Representative Bland, relating to police residency requirements.

HB 73, introduced by Representative Bland, relating to alternative education programs.

HB 74, introduced by Representative Bland, relating to the creation of a death penalty commission.

HB 75, introduced by Representative Bland, relating to the Missouri minority business advocacy commission.

HB 76, introduced by Representative Bland, relating to installment payments of property taxes in certain charter counties.

HB 77, introduced by Representative Bland, relating to limitations on private employer use of state funds.

HB 78, introduced by Representative Bland, relating to used motor vehicle dealer practices.

HB 79, introduced by Representative Bland, relating to charter schools.

HB 80, introduced by Representative Bland, relating to certain health care benefits.

HB 81, introduced by Representative Bland, relating to the coordination of school health programs.

HB 82, introduced by Representative Bland, relating to obesity.

HB 83, introduced by Representative Rupp, relating to the display of adult entertainment films in motor vehicles.

HB 84, introduced by Representative Boykins, relating to insurance coverage for obesity.

HB 85, introduced by Representative Jackson, relating to deployment of health care professionals during declared emergencies.

HB 86, introduced by Representatives Whorton, Wildberger and Meadows, relating to property and casualty insurance acquired by the state of Missouri.

HB 87, introduced by Representative Wallace, relating to summer school programs.

HB 88, introduced by Representatives Johnson (47) and Zweifel, relating to property insurance.

HB 89, introduced by Representative Pearce, relating to the telemarketing no-call list.

HB 90, introduced by Representative Denison, relating to the Missouri School Improvement Program.

HB 91, introduced by Representatives Johnson (47) and Dempsey, relating to tax increment financing.

HB 92, introduced by Representatives Dusenberg, Wilson (119), LeVota and Sutherland, relating to surviving spouses of certain public safety officers.

HB 93, introduced by Representatives Zweifel, Darrough, Corcoran, Meadows and Young, relating to public officers and employees.

HB 94, introduced by Representative Cunningham (145), relating to the war on terror scholarship program.

HB 95, introduced by Representatives Johnson (47), Smith (14) and Wildberger, relating to alcohol-related problems of minors.

HB 96, introduced by Representative Haywood, relating to the use of credit scoring for insurance purposes.

HB 97, introduced by Representatives Brown, Wildberger, Ervin, Quinn, Page, Phillips, Bivins, Sater, Skaggs and Baker (123), relating to open house parties.

HB 98, introduced by Representatives Brown (30), Sater and Wildberger, relating to occupational diseases.

HB 99, introduced by Representative Brown (30), relating to disciplinary action against law enforcement officers.

HB 100, introduced by Representatives Cunningham (86), Davis (19), Meadows, Emery and Moore, relating to abortion information, regulations, and services for minors.

HB 101, introduced by Representatives Cunningham (86), Emery and Moore, relating to the sale of methamphetamine precursor drugs.

HB 102, introduced by Representative Cunningham (86), relating to the visibility of street addresses.

HB 103, introduced by Representatives Cunningham (86), Moore and Bivins, relating to governing boards of state colleges and universities.

HB 104, introduced by Representatives Cunningham (86), Myers, Emery and Bivins, relating to personal records with unique identifiers.

HB 105, introduced by Representatives Cunningham (86) and Moore, relating to school district participation in statewide activities associations.

HB 106, introduced by Representative Cunningham (86), relating to the governing council of certain special school districts.

HB 107, introduced by Representative Schaaf, relating to ethics commission reports.

HB 108, introduced by Representative Schaaf, relating to insurance co-payments for prescription drugs.

HB 109, introduced by Representative Schaaf, relating to physical therapists.

HB 110, introduced by Representative Cooper (158), relating to crimes of violence against children and the elderly.

HB 111, introduced by Representative Cooper (158), relating to tax relief for veterans.

HB 112, introduced by Representative Cooper (158), relating to retirement benefits for commission appointees.

HB 113, introduced by Representatives Selby, Harris (110), Roorda, Meadows, Schoemehl, Casey, Vogt, Threlkeld, Hoskins, Corcoran and Wagner, relating to the motor vehicle emissions inspection program.

HB 114, introduced by Representatives Johnson (47), Lowe (44), Yates, Burnett, Meiners, Pratt, Dusenberg, Jolly, Curls, Sanders Brooks, Low (39), Kraus and Dougherty, relating to taxation for public mass transportation systems.

HB 115, introduced by Representatives Deeken, Whorton and Sater, relating to compensation for additional duties of county clerks.

HB 116, introduced by Representatives Deeken, Skaggs, Whorton, Wildberger and Page, relating to rights of persons with service dogs.

HB 117, introduced by Representatives Deeken and Page, relating to voting by absentee ballot.

HB 119, introduced by Representative Jones (117), relating to life insurance benefits for government employees during military deployments.

HB 120, introduced by Representative Jones (117), relating to special license plates.

HB 121, introduced by Representative Haywood, relating to trafficking in the second degree.

HB 122, introduced by Representatives Meiners and Page, relating to a tax on adult entertainment products and services.

HB 123, introduced by Representatives Meiners and Young, relating to gaming.

HB 124, introduced by Representative Meiners, relating to children on motorcycles.

HB 125, introduced by Representative Meiners, relating to eye protection for motorcycle operators.

HB 126, introduced by Representatives Cooper (158) and Kratky, relating to punishment.

HB 127, introduced by Representatives Bivins, Wildberger, Walton and Moore, relating to fire protection district board attendance fees.

HB 128, introduced by Representatives Bivins, Lembke and Moore, relating to state aid for certain at-risk students.

HB 129, introduced by Representatives Bivins, Lembke and Moore, relating to state aid for public schools.

HB 130, introduced by Representatives Bivins, Moore and Meyer, relating to environmental audit privileges.

HB 131, introduced by Representative Schaaf, relating to administration of immunizations with mercury preservatives.

HB 132, introduced by Representatives Whorton and Threlkeld, relating to the state highways and transportation commission.

HB 133, introduced by Representatives Portwood, Lembke, Smith (14), Stefanick, Sutherland and Wildberger, relating to police officer residency requirements.

HB 134, introduced by Representatives Richard, Rector and Emery, relating to electrical energy corporations.

HB 135, introduced by Representatives Richard, Hobbs, Wildberger, Pearce, Yates, Wilson (119), Moore and Lembke, relating to business use incentives.

HB 136, introduced by Representative Jackson, relating to education.

HB 137, introduced by Representatives Portwood and Lembke, relating to guardianship of a minor.

HB 138, introduced by Representative Portwood, relating to health insurance coverage for chiropractic care.

HB 139, introduced by Representatives Portwood and LeVota, relating to mortgage broker licensure.

HB 140, introduced by Representative Bringer, relating to detention of persons confined without warrant.

HB 141, introduced by Representative Bringer, relating to nursing home districts.

HB 142, introduced by Representative Bringer, relating to dental assistants.

HB 143, introduced by Representatives Portwood, Lembke, Smith (14), Moore, Dusenberg, Ervin, Icet and Stevenson, relating to parental notification for abortion.

HB 144, introduced by Representatives Portwood, Lembke, Bivins, Dusenberg, Ervin, Icet and Stevenson, relating to informed consent for abortion.

HB 145, introduced by Representative Cunningham (86), relating to teacher certification.

HB 146, introduced by Representative Hoskins, relating to income tax credit for the elderly.

HB 147, introduced by Representative Hoskins, relating to license plates.

HB 148, introduced by Representatives Hunter, Wilson (130), Ruestman, Emery, Ervin, Yates, Guest, Phillips, Cunningham (86), Portwood, Icet, Dethrow, Davis, Bearden, Behnen, Wilson (119), Wood, Hobbs, Richard, Moore, Sater, Bivins, Sander, Roark, Dempsey, Jetton, Dixon, Goodman and Nieves, relating to workers' compensation law.

HB 149, introduced by Representative Johnson (47), relating to an advance voting period.

HB 150, introduced by Representatives Ruestman, Nieves, Fisher and Jackson, relating to a property tax exemption.

HB 151, introduced by Representative Boykins, relating to distribution of controlled substances near schools.

HB 152, introduced by Representative Boykins, relating to recall elections for school board members.

HB 153, introduced by Representative Wallace, relating to capital projects.

HB 154, introduced by Representative Ruestman, relating to the designation of a certain highway.

HB 155, introduced by Representative Ruestman, relating to the designation of a certain highway.

HB 156, introduced by Representative Cooper (158), relating to committing a terrorist act.

HB 157, introduced by Representatives Harris (110) and Selby, relating to environmental control.

HB 158, introduced by Representatives Harris (110), Page, Wildberger, Whorton, Moore, Low (39) and Selby, relating to state purchasing.

HB 159, introduced by Representatives Harris (110) and Selby, relating to the taking of property.

HB 160, introduced by Representatives Harris (110), Page, Wildberger, Whorton, Moore, Selby and Low (39), relating to minimum pay for certain corrections employees.

HB 161, introduced by Representatives Harris (110), Selby, Page, Wildberger and Whorton, relating to the waste tire collection fee.

HB 162, introduced by Representatives Smith (14) and Jackson, relating to the application deadline for Korean conflict medallions, medals, and certificates.

HB 163, introduced by Representatives Smith (14) and Jackson, relating to the application deadline for Korean conflict medallions, medals, and certificates.

HB 164, introduced by Representatives Burnett, Yaeger, Wildberger, Fraser, Jolly, Meadows, Lowe (44), Donnelly, Meiners and Low (39), relating to payday loans.

HB 165, introduced by Representative Bringer, relating to salvia divinorum.

HB 166, introduced by Representatives Meadows and Wildberger, relating to water contamination.

HB 167, introduced by Representatives Meadows, Roorda, Casey, Swinger and Wildberger, relating to the pseudoephedrine.

HB 168, introduced by Representatives Meadows, Harris (110), Wildberger, Moore and Meiners, relating to the cloning of human beings.

HB 169, introduced by Representatives Meadows, Fraser, Young, Wildberger, Burnett and Jolly, relating to the coordination of benefits for the Medicare Prescription Drug, Improvement and Modernization Act of 2003.

HB 170, introduced by Representative Tilley, relating to the county special road and bridge tax.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 2**.

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-third General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem.....Michael R. Gibbons
Secretary of Senate.....Terry L. Spieler
Sergeant-at-Arms.....Glen Pound
Doorkeeper.....Ken Holman

“The National Anthem” was sung by Ms. Barbara Huffman.

BENEDICTION

The benediction was given by Representative Brian Baker.

President Abraham Lincoln stated in his second inaugural address, “...with malice toward none, with firmness in the right as God gives us to see right, let us finish the work we are in ...”

As a state, we are engaged in a work that must be completed. As we close in prayer this morning, let us remember each other, our families, and the citizens of our great state.

Please stand and join me in a moment of prayer.

Our heavenly Father, You are a great and mighty God and we give You glory and praise.

Today, our state faces many historical challenges and we ask for Your guidance and wisdom as we work together to serve our fellow man. Give us all the ability to meet these challenges with discernment and hope.

You have sustained our great state and nation through difficult times. You, O God, have given us the opportunity and the resources to impact future generations in a positive and powerful way.

Allow us to be a beacon of light to our state, proving unity and bi-partisanship is the greatest tool for progress. Let our efforts be a testimony to future generations.

We look beyond the borders of our great state and pray for our nation, O Lord, as our soldiers defend the innocent and expand freedom. We ask for Your continued protection upon these great warriors and their families. Give our soldiers the courage, clarity-of-thought, and wisdom in their mission to protect America.

We also look beyond the borders of our nation and ask a special blessing upon the victims of nature’s wrath in Indonesia, India, and the surrounding region. Give strength to the victims and courage to those who bring aid.

In these days, we ask, O Lord, that You give us peace of mind and calmness of heart. Let our actions give our children hope for the future.

May You continue to bless our great state. In Jesus’ name we pray. Amen.

WITHDRAWAL OF HOUSE BILLS

December 9, 2004

Mr. Stephen Davis, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Davis:

In lieu of Governor-Elect Blunt's announcement to merge the Department of Homeland Security with the Department of Public Safety, I respectfully request that **House Bill No. 68** be withdrawn.

Thank you.

Sincerely yours,

/s/ Jack Jackson
89th District

December 20, 2004

Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Re: **House Bill No. 42**

Dear Steve:

I had previously filed **House Bill No. 42** regarding the regulation of pseudo-ephedrine, but respectfully ask that this bill be withdrawn.

Thanking you in advance for your assistance in this matter.

Best regards,

/s/ David Sater
68th District

December 29, 2004

Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Steve:

I had previously filed **House Joint Resolution No. 4** regarding a proposed constitutional amendment which would "replace the Highways and Transportation Commission with a Director of Transportation appointed by the Governor with the advice and consent of the Senate," but respectfully ask that this bill be withdrawn.

Thanking you in advance for your assistance in this matter.

Best Regards,

/s/ Representative Gary Dusenberg
District 54

DATE: January 4, 2005
TO: Steve Davis, Chief Clerk
FROM: Representative Bill Deeken
SUBJECT: Request to Withdraw House Bill

I would like to withdraw **House Bill No. 118**. There are several errors in the bill that would have a detrimental affect to the proposed legislation. I plan to correct these errors and file the legislation at a later time.

Thank you for your consideration of this request.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, January 6, 2005.

COMMITTEE MEETING

JOINT COMMITTEE ON SOLID WASTE TIPPING FEE DISTRIBUTION
Thursday, January 6, 2005, 8:30 a.m. Hearing Room 7. CANCELLED
Discussion of solid waste committee report draft.

HOUSE CALENDAR

SECOND DAY, THURSDAY, JANUARY 6, 2005

HOUSE JOINT RESOLUTIONS FOR SECOND READING

- 1 HJR 1 through HJR 3
- 2 HJR 5 and HJR 6

HOUSE BILLS FOR SECOND READING

- 1 HB 26 through HB 41
- 2 HB 43 through HB 67
- 3 HB 69 through HB 117
- 4 HB 119 through HB 170

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 6, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father David Buescher.

Gracious Father, creator of human society, yesterday these men and women bound themselves together here to thank You for the tasks at hand, to ask Your guidance and provision, and to promise honesty and integrity. They have been preparing for months for this blessed responsibility. On Your part, make Your covenant with them to be with them in all the affairs of this House, today and all days – the ups and downs, the agreements and disagreements, the victories and losses, the joys and the wounds.

Let Your civility reign profoundly in these hearts in respect and fair play, Your wisdom work through them uncovering new ways to manage difficult times. Let reason be as Your hand to navigate through all negotiations. We stand conscious of Your uniting and empowering presence in the body, mind, and soul of this august assembly. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the first day was approved as corrected by the following vote:

AYES: 160

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 10	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Low 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda

Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Curls

VACANCIES: 001

SPECIAL RECOGNITION

Miss Missouri, Whitney Stewart Weeks of Chesterfield, Missouri, was introduced by Representative Icet.

Miss Weeks addressed the House.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 25

and

- House Resolution No. 26 - Representative Liese
- House Resolution No. 27 - Representative Smith (14)
- House Resolution No. 28 - Representative Parson
- House Resolution No. 29 - Representative Sander
- House Resolution No. 30 - Representative LeVota
- House Resolution No. 31

and

- House Resolution No. 32 - Representative Ervin
- House Resolution No. 33 - Representative Dethrow
- House Resolution No. 34 - Representative Pearce
- House Resolution No. 35 - Representative Jolly
- House Resolution No. 36 - Representative Behnen
- House Resolution No. 37 - Representative Quinn
- House Resolution No. 38
- through
- House Resolution No. 40 - Representative Smith (14)

HOUSE CONCURRENT RESOLUTIONS

Representative Parker offered House Concurrent Resolution No. 5 through House Concurrent Resolution No. 8.

Representative Bivins, et al., offered House Concurrent Resolution No. 9.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 7, introduced by Representatives Kingery, Phillips, Whorton, Myers, Curls, Wilson (119), Meadows, Vogt and Meiners, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 171, introduced by Representative Parker, relating to contributions to certain nonprofit organizations with a health-related mission.

HB 172, introduced by Representatives Yates, Kraus, Bivins and Pratt, relating to student enrollment hearings.

HB 173, introduced by Representatives Yates, Kraus, Pratt, Dusenberg, Bivins, Cooper (158), Page, Sater, Phillips and Stefanick, relating to gambling moneys for schools.

HB 174, introduced by Representatives Wood, Pearce, Robb, Kratky and Schneider, relating to real estate agents and brokers.

HB 175, introduced by Representative Schaaf, relating to the practice of medicine.

HB 176, introduced by Representatives Roorda, Walsh, Meadows, Wildberger, Henke, Page and Oxford, relating to fire protection districts.

HB 177, introduced by Representatives Weter, Chinn, Goodman, Denison, Dusenberg, Day, Meiners, Sater, Kraus and Wright (137), relating to counties posting photographs of registered sexual offenders on the Internet.

HB 178, introduced by Representatives Yates and Johnson (47), relating to municipal judges ability to contract for or employ a city probation officer.

HB 179, introduced by Representative Smith (14), relating to Sunday liquor sales.

HB 180, introduced by Representatives Johnson (47), Kraus, Dusenberg, Skaggs, Lowe (44), Yates and Young, relating to police military leave.

HB 181, introduced by Representative Jackson, relating to a tax refund designation for law enforcement.

HB 182, introduced by Representatives Ruestman, Nieves, Dempsey, Bean, Fisher and Lipke, relating to cosmetology.

HB 183, introduced by Representative Jackson, relating to highway lane usage.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 1 through **HJR 3**, **HJR 5** and **HJR 6** were read the second time.

SECOND READING OF HOUSE BILLS

HB 26 through **HB 41**, **HB 43** through **HB 67**, **HB 69** through **HB 117**, and **HB 119** through **HB 170** were read the second time.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 1**.

SENATE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that the President Pro Tem of the Senate and the Speaker of the House appoint a committee of thirty-six members, one-half from the Senate and one-half from the House to cooperate in making all necessary plans and arrangements for the participation of the General Assembly in the inauguration of the executive officials of the State of Missouri on January 10, 2005; and

BE IT FURTHER RESOLVED that the joint committee be authorized to cooperate with any other committees, officials or persons planning and executing the inaugural ceremonies keeping with the traditions of the great State of Missouri.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee pursuant to **SCR 1**: Senators Callahan, Cauthorn, Champion, Clemens, Coleman, Dolan, Gibbons, Graham, Griesheimer, Gross, Green, Klindt, Loudon, Scott, Shields, Vogel, Wheeler and Wilson.

WITHDRAWAL OF HOUSE BILL

January 6, 2005

Mr. Stephen Davis, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Davis:

With this letter, I respectfully request that **House Bill No. 38** be withdrawn. I have filed a revised version of this legislation.

Thank you.

Sincerely yours,

/s/ Jack Jackson
89th District

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:00 a.m., Monday, January 10, 2005.

OATH OF OFFICE

Representative-elect Melba Curls subscribed to the oath of office, which was administered at 12:06 p.m. by the Honorable Rod Jetton, Speaker of the House of Representatives.

Representative-elect Jim Avery subscribed to the oath of office, which was administered at 3:55 p.m. by the Honorable Rod Jetton, Speaker of the House of Representatives.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, First Day, Wednesday, January 5, 2005, Page 1, Line 15, by inserting after said line the following:

“The Missouri State Highway Patrol, Troop F, presented the Colors and the Pledge of Allegiance to the Flag was recited.”

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 10, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 7

HOUSE BILLS FOR SECOND READING

HB 171 through HB 183

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRD DAY, MONDAY, JANUARY 10, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, give ear to our words and consider our meditation. At the onset of this 2005 Session, we yield our plans, pursuits, understanding, wisdom and passions, that we might gain sharp insight into what is true, honorable, right, pure, gracious, and of necessity for this year.

As we reflect on the upcoming Session, we are bombarded with thoughts of what lie ahead. Grant us peace.

Despite our desire to accomplish what is best for our constituents and this state, anxieties, disappointments and distractions that hinder our best efforts sometimes bog us down. Grant us the serenity and wisdom to overcome these obstacles.

O Lord, watch over family and us while we are absent one from another. Keep us in Your love, as each day requires, as we make our journey from loved ones to duty.

May Your grace be sufficient for all we do.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jessikah Steen and Nicki Fryer.

The Journal of the second day was approved as printed.

SENATE CONCURRENT RESOLUTION

Representative Dempsey moved that Rule 59 be suspended in order to take up and adopt **SCR 1**.

Which motion was adopted by the following vote:

AYES: 154

Aull
Bearden

Baker 123
Behnen

Baker 25
Bivins

Barnitz
Black

Bean
Bland

Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 110	Harris 23
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bowman	Boykins	Brooks	El-Amin
Faith	Kelly	Viebrock		

VACANCIES: 001

SCR 1, relating to the Inaugural Committee, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **SCR 1** was adopted.

INAUGURAL COMMITTEE

The Speaker appointed the following members to the Inaugural Committee: Representatives Baker (123), Chinn, Nance, Cunningham (145), Phillips, Roark, Ice, Moore, Behnen, Hobbs, Hunter, Henke, Villa, Harris (23), LeVota, Johnson (61), Wright-Jones and Young.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 41 - Representative May
House Resolution No. 42
through
House Resolution No. 47 - Representative Pratt
House Resolution No. 48 - Representative Goodman
House Resolution No. 49
and
House Resolution No. 50 - Representative Wilson (119)
House Resolution No. 51 - Representative Robinson

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 184, introduced by Representatives Deeken and Skaggs, relating to the reduction of alcohol-related problems.

HB 185, introduced by Representative Cooper (158), relating to scholarship program for children of veterans killed in combat.

HB 186, introduced by Representative Emery, relating to local taxes.

HB 187, introduced by Representatives Jolly, Page, Harris (23), Low (39), Meiners, Moore, Yaeger, Wildberger, Sutherland, Meadows and Storch, relating to adoption awareness.

HB 188, introduced by Representatives Jolly, Meiners, Low (39), Page, Yaeger, Wildberger, Johnson (61), Meadows, Sater and Byrd, relating to assault of a law enforcement officer, prosecuting attorney or assistant prosecuting attorney, circuit attorney or assistant circuit attorney, or emergency personnel.

HB 189, introduced by Representatives Jolly, Johnson (90), Darrough and Dusenberg, relating to sentencing.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 7 was read the second time.

SECOND READING OF HOUSE BILLS

HB 171 through **HB 183** were read the second time.

JOINT SESSION

The Senate and House of Representatives met in Joint Assembly on the steps of the State Capitol and President Pro Tem Gibbons called the Joint Assembly to order.

Governor-elect Matt Blunt was escorted to his place at the podium by the Legislative Inaugural Committee.

The Honorable Rod Jetton, Speaker of the Missouri House of Representatives, led the audience in the Pledge of Allegiance to the flag.

Mr. Neal E. Boyd, Cape Girardeau, Missouri, sang the “National Anthem”.

The Invocation was offered by Monsignor Ted L. Wojcicki, President/Rector of Kenrick - Glennon Seminary, St. Louis, Missouri.

The Honorable Ronnie L. White, Chief Justice of the Supreme Court of Missouri, administered the oath of office to Attorney General Jeremiah W. (Jay) Nixon.

The Honorable John W. Hearne, Attorney at Law, administered the oath of office to State Treasurer Sarah Steelman.

The Honorable Ronnie L. White, Chief Justice of the Supreme Court of Missouri, administered the oath of office to Secretary of State Robin Carnahan.

The Honorable Stephen N. Limbaugh, Judge of the Supreme Court of Missouri, administered the oath of office to Lieutenant Governor Peter D. Kinder.

The Honorable Stephen N. Limbaugh, Judge of the Supreme Court of Missouri, administered the oath of office to Governor-elect Matt Blunt.

Immediately following the administration of the oath, military honors were rendered to Governor Blunt with the firing of a nineteen gun salute by the 135th Field Artillery, MOARNG, Sedalia, Missouri.

Governor Matt Blunt delivered his Inaugural Address.

INAUGURAL ADDRESS

My fellow Missourians,

I am grateful for the confidence you have placed in me. I sought this office knowing that the generous and able support of my fellow citizens would help me shoulder the many grave responsibilities that accompany the honor of leading this great state.

It will be my great purpose to lead Missouri in a new direction. I promised change in our state capitol. Missourians mandated change in both the tone and the priorities of our state government. Our shared desire for a future

of great opportunity and achievement for every Missourian demands that we heed their counsel. Change begins today, at this hour, in this place.

We stand in the shadow of Jefferson who believed that a society founded upon the rule of law and liberty was dependent upon public education and the diffusion of knowledge. He correctly extolled the virtues of learning when he stated that, “No other sure foundation can be devised for the preservation of freedom and happiness.”

Missouri’s Constitution declares that education must be our first commitment. Even if we were not legally bound, we would be morally bound to serve the children of our state and the families who have placed their confidence in us.

We must fulfill this obligation. We must transcend partisan division. We must meet Jefferson’s standard for enlightened government. We can no longer drift from the vision embraced by the Founders and our Constitution.

Working with your elected representatives, I will strive to ensure that every young Missourian has the education they deserve. Their future and our own depend upon it.

In the days ahead we must and will create an entrepreneurial climate where the spirit of free enterprise will flourish and aid the creation of good family supporting jobs. We must also remember that Missouri’s future rests with the creativity and genius of the people - not in government programs.

Missourians deserve a government that promises no more than it can deliver and delivers everything it promises. Taxpayers deserve a government that harnesses technology to better serve the people. It is within our capacity to provide smaller and more responsible government.

In a government such as ours we have vigorous contests to determine who should lead. The recent election was no exception. Now we inaugurate a new government on a day that transcends any one individual or any one party.

Today, we begin the important task of working together to improve the lives of all Missourians. I commit all of my strength and energy to this good cause. As differing points of view compete, I encourage all to remember Jefferson’s admonition that “every difference of opinion is not a difference of principle.”

The government that we inaugurate today recommits itself to our shared principles. I stand before you today mindful of our shared aspiration for a government that better serves the people. We are united in our hope for a government that is frugal and wise. We remind ourselves that the values that spring from our soil and are cultivated in our homes and places of worship should be embraced rather than scorned.

The spirit and determination of the people to chart their own destiny is the greatest power for good in human affairs. The demands of the present must stand above the political habits of the past. When necessary, the needs of this hour have right to sweep aside the barriers that prevent Missourians from reaching their full potential.

We stand first among nations because of our hopefulness, our vision, and our desire for improvement. When we speak of the American dream, the dream that we describe centers not on the glories of the past, but on the possibilities of the future.

Over the next four years, we will be bold. We will be willing to experiment. We will not fear failure. We will bear setbacks with resolve and press forward with determined innovation. We will attack problems with the deliberation that accompanies this great responsibility and with the energy necessary to build a better Missouri.

Missouri can lead America in solving many of the problems that challenge our country. Our workers are ready, eager and able to meet the tests of the global economy. Missouri’s teachers are dedicated to preparing our young people for a future of opportunity.

We are fortunate to have many valuable resources at our disposal, but our greatest resource has been, is, and always will be our people. In the measure that state government has fallen short, it has done so by setting itself apart

from, and above, the wisdom, common sense, and values of the people. Government is not the author of progress, nor the first source of wisdom, nor the Creator of our freedom, nor the wellspring of the values of faith, family and freedom that make America the greatest nation on earth. Government is the people's tool. It should be the servant, not the master.

A statue on the north side of our beautiful Capitol commemorates the signing of the Louisiana Purchase. On this side, we are under the gaze of our third President whose vision secured the new territory and defined its character. From that territory, pioneers carved a state destined for greatness. Their optimism, hope and faith endure. We are the heirs of their labor. Let us also remember that we are guardians of their legacy.

I took the oath with my hand upon two Bibles. One is the Book I turn to each day. It will remind me of the solemn pledge I have made before God and my fellow citizens. The other is a Bible that Melanie and I will give to our son upon his birth. It will remind me that what we do today, tomorrow and across the next four years will help define the future opportunities of every Missouri child.

May God grant that in the days of prosperity and contentment, He will fill our hearts with praise and that in moments of trial, we will remember to seek His aid.

Together, we will chart a new course for our state. With your prayers, encouragement and support, we will succeed. May God bless Missouri and the United States of America.

The 135th Army Band, MOARNG, performed "Armed Forces on Parade (Service Medley)".

The Benediction was pronounced by Pastor Paul Brooks, Senior Pastor, First Baptist Church of Raytown, Missouri.

The 135th Army Band, MOARNG, performed "God of Our Fathers".

The Joint Session was dissolved by Senator Gibbons and the Representatives returned to the Chamber where they were called to order by Speaker Pro Tem Bearden.

The following members' presence was noted: Sanders Brooks and Viebrock.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, January 11, 2005.

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 11, 2005

HOUSE BILLS FOR SECOND READING

HB 184 through HB 189

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FOURTH DAY, TUESDAY, JANUARY 11, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Rachel Bringer.

Dear Heavenly Father,

Thank You for this incredible opportunity to be here in this place to serve You and the citizens of the State of Missouri.

Bless us as we do Your work and give us wisdom and strength to serve You and the citizens of Missouri.

In Your heavenly name we pray, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Michael Lady, Ella Jean Skaggs, Lea Munzlinger and Hillary Alderton.

The Journal of the third day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 52 - Representative Pratt
House Resolution No. 53 - Representative Tilley
House Resolution No. 54 - Representative Deeken
House Resolution No. 55 - Representative Fisher
House Resolution No. 56 - Representative Bruns
House Resolution No. 57 - Representative Cooper (120)
House Resolution No. 58 - Representative Ervin
House Resolution No. 59
through
House Resolution No. 62 - Representative Vogt

HOUSE CONCURRENT RESOLUTIONS

Representative Sander, et al., offered House Concurrent Resolution No. 11 through House Concurrent Resolution No. 13.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 190, introduced by Representatives Ervin, Nolte, Flook, Nance and Quinn, relating to material recovery operations.

HB 191, introduced by Representative Cooper (120), relating to noxious weeds.

HB 192, introduced by Representatives Sander, Bivins, Moore, Cooper (120), Dixon, Stevenson, Schaaf, Low (39), Chinn, Baker (25), Yaeger, Wildberger, Byrd, Myers, Fraser, Johnson (47), Wilson (130), Munzlinger, St. Onge and Wallace, relating to waste tires.

HB 193, introduced by Representatives Wildberger, Moore, Whorton, Harris (110), Meiners, Sanders Brooks, Dougherty, Meadows, Salva and Storch, relating to the child advocacy center fund.

HB 194, introduced by Representatives Wildberger, Whorton, Low (39), Meiners, Harris (110), Dougherty, Salva, Meadows and Young, relating to income taxes.

HB 195, introduced by Representatives Wildberger, Moore, Whorton, Jolly, Meiners, Sanders Brooks, Harris (110), Bruns, Roorda, Salva, Meadows, Storch and Young, relating to retirement benefits for firefighters.

HB 196, introduced by Representatives Wildberger, Moore, Whorton, Jolly, Sanders Brooks, Meiners, Bruns, Roorda, Salva and Meadows, relating to the statute of limitation for certain crimes.

HB 197, introduced by Representatives Wildberger, Moore, Whorton, Meiners, Sanders Brooks, Dougherty, Bruns, Salva, Meadows and Young, relating to publicly-financed projects.

HB 198, introduced by Representatives Wildberger, Whorton, Meiners, Sanders Brooks, Harris (110), Dougherty and Salva, relating to insurance credit scores.

HB 199, introduced by Representatives Wildberger, Meiners, Dougherty and Salva, relating to restrictions and limitations on campaign contributions.

HB 200, introduced by Representatives Jones, Sutherland, Henke, Wilson (119), Parson and Schad, relating to taxable property lists.

HB 201, introduced by Representative Salva, relating to driver's licenses.

HB 202, introduced by Representative Salva, relating to uninsured motorists.

HB 203, introduced by Representative Salva, relating to bingo.

HB 204, introduced by Representative Salva, relating to the senior Rx program.

HB 205, introduced by Representative Salva, relating to child support payments and records.

HB 206, introduced by Representative Salva, relating to insurance credit scoring.

SECOND READING OF HOUSE BILLS

HB 184 through **HB 189** were read the second time.

HOUSE CONCURRENT RESOLUTION

Representative Dempsey moved that Rule 59 be suspended for the purpose of offering and adopting **HCR 10**.

Which motion was adopted by the following vote:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery

Dixon

Marsh

Rupp

Wagner

VACANCIES: 001

Representative Dempsey offered **House Concurrent Resolution No. 10**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 10

BE IT RESOLVED by the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene a joint session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, February 2, 2005, to receive a message from Pete K. Rahn, Director of the Missouri Department of Transportation; and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Dempsey, **House Concurrent Resolution No. 10** was adopted.

Speaker Pro Tem Bearden assumed the Chair.

WITHDRAWAL OF HOUSE BILLS

January 11, 2004

Stephen S. Davis, Chief Clerk
Missouri House of Representatives
Room 306C, State Capitol Building
Jefferson City, MO 65101

Dear Stephen:

I respectfully request that **House Bill No. 28** that deals with noxious weeds and **House Bill No. 67** that deals with motor carriers be withdrawn. I do plan to refile these bills shortly.

Thank you for your consideration.

Sincerely,

/s/ Shannon Cooper
State Representative
District 120

The following member's presence was noted: Wagner.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, January 12, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Sally Faith, District 15, hereby state and affirm that I was present during the session of the House of Representatives on Monday, January 10, 2005 and that the House Journal inaccurately reflects my absence. Pursuant to House Rule 88, I ask that the Journal be corrected to note my presence in the House Journal for Monday, January 10, 2005.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of January 2005.

/s/ Sally A. Faith
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of January in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Amber Boykins, District 60, hereby state and affirm that I was present during the session of the House of Representatives on Monday, January 10, 2005 and that the House Journal inaccurately reflects my absence. Pursuant to House Rule 88, I ask that the Journal be corrected to note my presence in the House Journal for Monday, January 10, 2005.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of January 2005.

/s/ Amber Boykins
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of January in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

HOUSE CALENDAR

FIFTH DAY, WEDNESDAY, JANUARY 12, 2005

HOUSE BILLS FOR SECOND READING

HB 190 through HB 206

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 12, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

O Lord, our Lord, how majestic is Your name in all the Earth. You have displayed Your splendor above the Heavens!

Direct our thoughts today. May we enact good statutes and confirm just decisions in order that all would benefit and enjoy a better quality of life.

As we proceed through this governmental process, help us to maintain honor and respect for one another's ideals and passions with the purpose of fostering comradery and accomplishing legislative goals.

Forgive us for judging inappropriately, complaining about and criticizing one another. May we always be people of integrity.

Guide our hearts in the way of righteousness and truth. May Your abiding presence be with us all throughout this day.

In the name of Your Son we pray, Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as corrected.

MOTION

Representative Dempsey moved that Rule 113 be suspended.

Which motion was adopted by the following vote:

AYES: 158

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty

Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT:000

ABSENT WITH LEAVE: 004

Avery	George	Jones	Marsh
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VACANCIES: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following escort committee to act with a like committee of the House pursuant to **HCR 1**: Senators Bartle, Loudon, Crowell, Mayer, Ridgeway, Koster, Coleman, Callahan, Wilson and Green.

ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Peter Kinder and members of the Senate to the dais: Representatives Tilley, Cooper (158), Black, Wilson (130), Jackson, Cunningham (86), Aull, Curls, Johnson (90) and Corcoran.

The Speaker appointed the following committee to escort the Honorable Ronnie L. White, Chief Justice of the Supreme Court of Missouri to the dais: Representatives Parker, Yates, Goodman, Wright (137), Flook, Fares, Robinson, El-Amin, Spreng and Lowe (44).

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 031

Bartle	Bray	Callahan	Cauthorn	Champion
Clemens	Coleman	Crowell	Days	Dougherty
Engler	Gibbons	Graham	Green	Griesheimer
Gross	Kennedy	Klindt	Koster	Loudon
Mayer	Nodler	Purgason	Ridgeway	Scott
Shields	Stouffer	Taylor	Vogel	Wheeler
Wilson				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Dolan

VACANCIES: 002

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 153

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hughes	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge

Storch	Sutherland	Swinger	Threlkeld	Tilley
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Dougherty	George	Hubbard	Hunter
Jones	Marsh	Salva	Viebrock	

VACANCIES: 001

The Doorkeeper announced the approach of the Honorable Ronnie L. White, Chief Justice of the Supreme Court of Missouri. Chief Justice White was duly escorted to the House Chamber and to the Speaker's dais where he delivered the following message to the assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS

By

Chief Justice Ronnie White

President Kinder, Speaker Jetton, distinguished members of the Senate and House of Representatives, honorable statewide elected officials, esteemed Court colleagues, and honored guests – I thank you for the opportunity to come before you today. First, I want to take a moment to welcome the newest member of our Court. In a day and age in which courts throughout the country sometimes are accused of sitting in ivory towers, isolated from the world surrounding them, we are blessed with a person who has spent her entire judicial career breaking down these perceived barriers. Judge Mary Russell has sought to open the doors of our judicial processes to all who want to see them, and anyone who has met her knows that her affable demeanor and common-sense voice will add to the collegiality of our Court. She is an experienced appellate judge, serving nine years on the Court of Appeals, Eastern District. During her first year on the bench, I had the pleasure of being one of her colleagues. Since her appointment to the Supreme Court, Judge Russell has become involved in several Jefferson City civic activities, including volunteering as a truancy court judge in a local middle school. She also meets with students, parents and teachers each week, holding a mock court, to help ensure that students attend school regularly. Please join me in welcoming the Honorable Mary Rhodes Russell. I encourage any of you who do not know her already to take the opportunity to meet her – I am sure that you are going to like Judge Russell.

We also look forward to getting to know all of you, because as we all know, Judge Russell is not the only new officeholder in Jefferson City this year. Accordingly, we wish to extend an invitation to all of the new legislators to join us at the Supreme Court this afternoon so we can open what we hope proves to be just the beginning of a fruitful dialogue between our two branches of government.

We stand at the forefront of a new legislative session, a session that brings with it a new Speaker, a new President Pro Tem, new minority leaders in both chambers, and, of course, a new Governor, along with other new statewide elected officials and legislators. It is clear that the collective will of the people of this great state has dictated to us that change must be embraced, along with all the promises, challenges and hope that change brings. When the voters of this state deliver messages such as these, their importance is rarely lost on members of the legislative or executive branches whose job it is to carry them out.

We in the Judiciary must listen to this message of change as well. We must continue to look at what we might do to improve our efficiency and effectiveness so that public trust and confidence in our judicial system remains high. Public trust is not merely an amorphous concept to which we pay lip service; indeed, it is the very foundation of our

judicial system and ultimately our democracy. It is an ongoing covenant between the governing and the governed, often renewed in the most unexpected times and places – places such as the Ukraine, where recent electoral and constitutional crises pushed the Judiciary into the middle of critical decisions on which the very rule of law hung in the balance. Even though it was certain that a sizable portion of the populace would disagree vehemently with its decision, no matter what it was, that nation took a major step forward into the community of nations by agreeing with and enforcing the Judiciary's obligation to make such a decision.

On a smaller scale, here in Missouri, it is this balance that the Judiciary must strike on a daily basis as we serve our role as the third, coequal branch of government. We must not presume to think that the greatly overused phrase "judicial independence" allows us to view ourselves as above any other branch of government or as unaccountable to the people we serve. Rather than *independence*, let us talk instead of *interdependence*. As Abraham Lincoln noted so eloquently 144 years ago: "A house divided against itself cannot stand."

The same can be said of our three branches of government. We can – and must – be faithful not only to the constitution but also to each other and to the roles we have been given by the architects of this great system. We in the Judiciary cannot extend ourselves into areas where our constitution or laws do not permit us to tread. Instead, we must remain neutral – free from political or ideological philosophies – free from high-dollar political campaigns – and retain faithfulness to the rule of law above all else.

Our role is fundamentally different from that of either the legislative or the executive branch in two ways. First, we do not have the power to change any law that we see fit to change or to proclaim law where no such law exists. Rather, we must only deal with the specific facts and issues that are brought before us, and even then we must only interpret the law, not make the law. Second, our role is not to represent the will of the people directly as you do. Instead, we exist to resolve disputes according to the rule of law and its principles. In the end, the Judiciary's role in our system of government is to make sure that the laws you pass and the constitutions of this great state and nation – laws and principles that we *all* are sworn to uphold and protect – stand as a bulwark of security and a model for the rest of the world. No one in our state – or in our Judiciary – shall be above the law!

It may be that, in protecting these precepts, we run afoul of what is perceived as the will of the people on a given case or legal issue. However, we are constrained by our past rulings, the laws passed by this general assembly, our state and federal constitutions, and decisions of the United States Supreme Court. Taken together, this body of law preserves the will of the majority and the rights of the minority all at once, a tension that may result in decisions that, in some cases, are deemed by many to be unpopular. But popularity is not a criterion to be applied to judicial opinions. As a result of this tension – and I know this will surprise you – sometimes people might even be upset with us! Of course, we are in a business where typically half the people disagree with our decisions because they lost, and even a portion of those who won are upset because they do not think they won enough – and the people who *are* happy never seem to call their legislators! Regardless of this reality, we must welcome criticism and take it as evidence that the system of checks and balances and the rule of law that our forefathers envisioned are still working.

As United States Supreme Court Chief Justice William Rehnquist noted earlier this month in his annual report on the State of the Federal Judiciary, "criticism of judges and judicial decisions is as old as our republic, an outgrowth to some extent of the tensions built into our three-branch system of government." He further noted, "to a significant degree those tensions are healthy in maintaining a balance of power in our government."

While it may seem strange to some, a certain degree of tension between the branches can produce a more effective government for the people as a whole while ensuring that no branch of government can impinge on individual rights inappropriately. As each branch watches the others, all are driven to excel and meet the challenges raised in this ongoing experiment that is our system of government.

However, we must not let these tensions hinder or destroy our ability to cooperate with one another – remember, for example, the success that the cooperative Commission on Children's Justice has had in making strides toward real reform in our state's child abuse and neglect system. We also must not let these natural tensions prevent us from maintaining the consistency in the rule of law to which the people of this state are entitled.

I know that, as this session moves forward, you will spend countless hours looking deeply at how to improve the economy of this state, at how best to improve the lives of its citizens. All of us in government, all of our working

people, all of our corporate citizens and the public at large want our state to grow and be prosperous. We want to experience good wages and benefits and healthy profits to expand commerce and spur the economy. As this general assembly addresses the issues of jobs and economic growth, I ask you to consider carefully the Judiciary's role in Missouri's economic engine. We play, in fact, a vital role and one that is not as easily recognized as, for example, the economic growth prerequisites of good transportation, good schools, a trained work force and fair taxes.

You will find that very high on industry's list of necessary components in reviewing the attractiveness of any state for relocation or for new plants is a solid, predictable, professional and efficient judicial system in which they can get a fair and consistent application of the law and treatment of their people. Corporations do not expect to receive a favorable decision every time they go to court, but they do expect to have the courts open every day of the week, every week of the year, available as a forum in which business interests can be litigated fairly and expeditiously. And these corporations also expect that the courts will not be swayed by public opinion or concerned about inflaming some interest group but rather will stick to their judicial business of applying the law fairly.

Our business centers on providing efficient services. We are not seeking to make a profit; rather, we seek to provide high quality judicial services at the lowest possible cost. Justice is served, disputes are settled fairly and promptly, and the economy marches on. We understand our role and we will, with your support, accomplish this mission. One other point: our courts, at an annual cost of \$140 million in state general revenue, generated roughly \$395 million in positive economic impact to our state. This was through fees, fines and costs paid to government entities, and money paid through our courts when private individuals and businesses seek our assistance in enforcing decisions. Money paid to government entities is distributed annually to local schools, counties, the state, and various funds such as the crime victims' compensation fund, the head injury fund, the prosecuting attorneys' training fund, and so on. In other words, we do our share.

As Alexander Hamilton so wisely observed 200 years ago, the judiciary has neither the power of the sword or of the purse, but merely judgment. Therefore, as you debate the various economic proposals and other matters that are certain to cross your desks, I ask that, as the body to whom the power of the purse has been given, you consider the role you play in preserving – and, indeed, in improving – our Judiciary and its resources. I hope to work with you in finding new ways to maintain a well-qualified judiciary and judicial staff, and I hope that, in the end, together we may live out our state motto – “*Salus Populi Suprema Lex Esto*” – Let the *welfare* of the people be the supreme law. Thank you.

The Joint Session was dissolved by Senator Shields.

Speaker Jetton resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 63

through

House Resolution No. 74 - Representative Lager

House Resolution No. 75 - Representative Barnitz

House Resolution No. 76 - Representative Wallace

House Resolution No. 77

through

House Resolution No. 79 - Representative Wilson (130)

House Resolution No. 80 - Representative Pearce

House Resolution No. 81

through

House Resolution No. 88 - Representative Lager

House Resolution No. 89

through

House Resolution No. 92 - Representative Byrd

House Resolution No. 93 - Representative Kuessner
House Resolution No. 94 - Representative Jackson
House Resolution No. 95 - Representative Bruns

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 207, introduced by Representative Cooper (120), relating to for-hire motor carriers.

HB 208, introduced by Representatives Icet, Byrd and Jetton, relating to civil actions for damages.

HB 209, introduced by Representative Cooper (120), relating to assessment and collection of various taxes on telecommunications companies.

HB 210, introduced by Representative Pearce, relating to the designation of a certain highway.

HB 211, introduced by Representatives Sutherland and Myers, relating to the large carnivore act.

HB 212, introduced by Representative Parker, relating to wiretapping.

HB 213, introduced by Representative Deeken, relating to veterans.

SECOND READING OF HOUSE BILLS

HB 190 through **HB 206** were read the second time.

The following members' presence was noted: George and Jones.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, January 13, 2005.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Bob Dixon, District 140, hereby state and affirm that my vote as recorded on Page 43 of the House Journal for Tuesday, January 11, 2005 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of January 2005.

/s/ Bob Dixon
State Representative

State of Missouri)

/s/ Stephen S. Davis
Chief Clerk

SIXTH DAY, THURSDAY, JANUARY 13, 2005

HB 207 through HB 213

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 13, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father David Buescher.

God of Justice and Grace, You promise Your special presence when we are about the business of peace and progress. Shepherd these representatives that their minds and hearts may be homes of harmony and insight as they continue the work of this great House.

As they complete the first week of this Session, may their enthusiasm only grow more heartfelt and wise. Bless their first weekend at home with rest and recreation. We count on Your attendance this day and always. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Clara Diaz, Abby Best, Travis Redding and Cole Thurman.

The Journal of the fifth day was approved as printed.

HOUSE RESOLUTION

Representative Portwood offered House Resolution No. 96.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 97 - Representatives Smith (14) and Parker
House Resolution No. 98 - Representatives Smith (14) and Threlkeld
House Resolution No. 99 - Representative Hubbard
House Resolution No. 100 - Representative Phillips, et al.
House Resolution No. 101 - Representative Wells
House Resolution No. 102 - Representative Curls
House Resolution No. 103
through
House Resolution No. 114 - Representative Lager
House Resolution No. 116 - Representative Dixon
House Resolution No. 117
and
House Resolution No. 118 - Representative Bringer

House Resolution No. 119 - Representative Emery
 House Resolution No. 120 - Representative Kingery
 House Resolution No. 121
 through
 House Resolution No. 125 - Representative Goodman

SECOND READING OF HOUSE BILLS

HB 207 through **HB 213** were read the second time.

MOTION

Representative Dempsey moved that Rules 25(25)(a), 59 and 116 be suspended in order to refer House Resolution No. 115 to the Special Committee on Parliamentary Procedure.

Which motion was adopted by the following vote:

AYES: 151

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parson	Pearce	Phillips	Pollock
Portwood	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 002

Daus Vogt

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 008

Avery	Bowman	Hubbard	Marsh	Page
Parker	Pratt	Rupp		

VACANCIES: 001

HOUSE RESOLUTION

Representative Dempsey offered House Resolution No. 115.

HOUSE RESOLUTION NO. 115

(Proposed)

RULES OF THE HOUSE OF REPRESENTATIVES
93RD GENERAL ASSEMBLY
Adopted _____, 2005

TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term "constitutional majority", as used herein, shall mean eighty-two members of the House.

ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:
 - (i) Reading and approval of the Journal of the previous day's session.
 - (ii) Introduction and first reading of House Joint Resolutions.
 - (iii) Introduction and first reading of House Bills.
 - (iv) Second reading of House Bills and Joint Resolutions.
 - (v) Reports of standing committees.
 - (vi) Reports of special committees.
 - (vii) Bills, reports and other business on the table.
 - (viii) House Joint Resolutions to be perfected and printed.
 - (ix) House Bills to be perfected and printed.
 - (x) Third reading of House Joint Resolutions.
 - (xi) Third reading of House Bills.
 - (xii) Messages from the Senate.
 - (xiii) First reading of Senate Joint Resolutions and Senate Bills.
 - (xiv) Second reading of Senate Joint Resolutions and Senate Bills.

- (xv) Third reading of Senate Joint Resolutions.
- (xvi) Third reading of Senate Bills.
- (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
- (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
- (xix) Such other orders of business as deemed necessary pursuant to law.

HEADINGS ON HOUSE CALENDAR

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (i) House Joint Resolutions to be perfected and printed - laid over informally.
- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.

- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

FIRST AND SECOND READING OF BILLS

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if however, objection be made, the question shall be determined by the majority of the members present.

ORDERS OF THE DAY

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

ELECTION OF OFFICERS

GENERALLY

Election; Oath; Compensation

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly. Its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean themselves in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

Parliamentary Rulings;

Referral to Parliamentary Committee

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place.

Speaker May Speak on Points of Order

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

Appeal from a Ruling of the Chair

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

Supervision of House Employees

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

Speaker May Clear Hall

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not however, have the power to remove members from the floor of the House, except by a majority vote of those present.

Manner of Putting Questions

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device.

OTHER OFFICERS

Speaker Pro Tem

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

Chief Clerk

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and

subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Sergeant-at-Arms; Doorkeeper and Chaplain

Rule 20. (a) *SERGEANT-AT-ARMS*. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) *DOORKEEPER*. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties, and shall obey such other orders as may be made by the House.

(c) *CHAPLAIN*. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Employees

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership

Rule 22. All standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each committee shall be appointed by the Minority Floor Leader, subject to the final approval of the Speaker. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and discussion but shall have no vote unless they are duly appointed members of said committee. The membership of all standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special committees as he/she deems necessary. Any special committee shall have the authority and duties of a standing committee if so designated by the Speaker. The Speaker may dissolve and/or discharge the members of any conference, interim, or special committee at any time and reappoint the members thereof.

Time of Sitting

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

Standing Committees Enumerated

Rule 24. The standing committees of the House shall be as follows:

1. Administration and Accounts.
2. Agriculture Policy
3. Appropriations - Agriculture and Natural Resources.
4. Appropriations - Education.
5. Appropriations - General Administration.
6. Appropriations - Health, Mental Health and Social Services.
7. Appropriations - Public Safety and Corrections.
8. Appropriations - Transportation and Economic Development.
9. Budget.
10. Children and Families.
11. Conservation and Natural Resources.
12. Corrections and Public Institutions.
13. Crime Prevention and Public Safety.
14. Elections.
15. Elementary and Secondary Education.
16. Financial Institutions.
17. Fiscal Review.
18. Health Care Policy.
19. Higher Education.
20. Insurance Policy.
21. Job Creation and Economic Development.
22. Judiciary.
23. Local Government.
24. Professional Registration and Licensing.
25. Retirement.
26. Rules.
27. Senior Citizen Advocacy.
28. Small Business.
29. Tourism.
30. Transportation.
31. Utilities.
32. Veterans.
33. Ways and Means.
34. Workforce Development and Workplace Safety.

Duties of the Standing Committees

Rule 25. (1) *Administration and Accounts.*

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, The Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members, according to seniority within each respective party caucus, except that no member

shall be forced to give up his/her offices, chamber seat or parking space that he/she currently occupies unless such office, chamber seat or parking space is re-assigned by the committee to the members of the opposite party. Notwithstanding any provision of this rule to the contrary, the committee may make assignments to House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members.

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture and agri-business in this state.

(3) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(4) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(5) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, the Judiciary and the Public Defender.

(6) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(7) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

(8) *The Committee on Appropriations - Transportation and Economic Development.* The Committee on Appropriations - Transportation and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, the Department of Insurance and the Department of Labor and Industrial Relations.

(9) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it, which in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If

the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

(10) *The Committee on Children and Families.* The Committee on Children and Families may consider and report upon bills and matters referred to it relating to the health, well-being and security of children and families. The Committee may also consider and report upon bills and matters referred to it relating to social services and housing.

(11) *The Committee on Conservation and Natural Resources.* The Committee on Conservation and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Conservation, state parks, fish and game, forestry, natural resources, environment and mining.

(12) *The Committee on Corrections and Public Institutions.* The Committee on Corrections and Public Institutions may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, the state penitentiary, state hospitals, charitable institutions, and other state properties.

(13) *The Committee on Crime Prevention and Public Safety.* The Committee on Crime Prevention and Public Safety Affairs may consider and report upon bills and matters referred to it relating to criminal laws, public safety and law enforcement matters.

(14) *The Committee on Elections.* The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

(15) *The Committee on Elementary and Secondary Education.* The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

(16) *The Committee on Financial Institutions.* The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions and other financial institutions

(17) The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion to recommit, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler, of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House Sponsor or Floor Handler, amend an effective date onto any bill referred to the Committee.

(18) *The Committee on Health Care Policy.* The Committee on Health Care Policy may consider and report upon bills and matters referred to it related to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it related to Medicaid and related matters.

(19) *The Committee Higher Education.* The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters related to financing, facilities, staff, curriculum and related matters.

(20) *The Committee on Insurance Policy.* The Committee on Insurance Policy may consider and report upon bills and matters referred to it related to insurance, insurance companies and the Department of Insurance.

(21) *The Committee on Job Creation and Economic Development.* The Committee on Job Creation and Economic Development may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion, and development and the creation and retention of jobs.

(22) *The Committee on Judiciary.* The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

(23) *The Committee on Local Government.* The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

(24) *The Committee on Professional Registration and Licensing.* The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating the regulation of professions and occupations and relating to boards, bureaus and commissions that examine the qualifications of persons engaged in certain professions and occupations and the duties of such agencies and the persons registered by them. The committee may also consider and report upon bills and matters referred to it relating to consumer protection issues.

(25) *The Committee on Retirement.* The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees.

(26) *The Committee on Rules.* (a) *Duties Generally.* The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number and sponsor. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds of the standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third reading calendar.* Upon petition of two-thirds (2/3) of the standing committee chairmen, the Committee on Rules shall have the authority to consider and remove, any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) *Review of Bills Reported from Standing Committees.*

Whenever a standing committee reports a bill with a recommendation that it "Do Pass" or "Without Recommendation", the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

1. Report the bill "Do Pass" to the House without a limitation on time of debate on the bill or amendments.
2. Report the bill "Do Pass" to the House with a limitation on the time of debate.
3. Send the bill back to the originating committee.

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill "Do Pass".

When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Consent", the Rules Committee shall review the bill for the purpose of determining whether or not it should have "consent" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Consent" calendar. When the Committee on Rules declines to place the bill on the appropriate "Consent" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "consent" status. The Committee on Rules authority with respect to limiting debate shall apply to bills reported by it as "Do Pass - Consent".

When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Federal Mandate", the Committee on Rules shall review the bill for the purpose of determining whether or not it should have "federal mandate" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Federal Mandate" calendar. When the Committee on Rules declines to place the bill on the appropriate "Federal Mandate" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "federal mandate" status. The Committee on Rules authority with respect to limiting debate shall apply to bills reported by it as "Do Pass - Federal Mandate".

When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions.

(g) When a standing committee has reported a bill "Do Pass" with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(27) *The Committee on Senior Citizen Advocacy.* The Committee on Senior Citizen Advocacy may consider and report upon bills and matters referred to it relating to the security and health of the senior citizens of the State, including matters relating to their care and housing, and the providers of those services.

(28) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention and operations of small businesses in the State.

(29) *The Committee on Tourism.* The Committee on Tourism may consider and report upon bills and matters referred to it relating to the development and promotion of travel, tourism, recreation, the arts and cultural affairs.

(30) *The Committee on Transportation and Motor Vehicles.* The Committee on Transportation and Motor Vehicles may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

(31) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

(32) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

(33) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

(34) *The Committee on Workforce Development and Workplace Safety.* The Committee on Workforce Development and Workplace Safety may consider and report upon bills and matters referred to it relating to, Workers'

Compensation, Employment Security and the departments administering each of these, and on matters referred to it relating to the conditions and interest of labor.

Duties of Committee Chair;
Committee Organization

Rule 26. (a) *Duty to preside*. It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee shall preside, and in his/her absence, a member appointed by the chair.

(b) *Duty to maintain minute book*. The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each general assembly.

(c) *Duty to preserve order*. The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents*. The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails*. Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chair shall report said bill back to the House "Do Not Pass" unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (i) the Chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider.

Committee Hearings

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

Quorum

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings - How Announced

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker's office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

Committee Substitutes

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

Other Duties

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be called by the chair or secretary of a committee at each meeting.

Minority Views

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

Committee Relieved of Bill - When

Rule 34. No bill shall be taken away from any standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

Election Contest

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the standing Committee on Elections or a special committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee Complaints of Ethical Misconduct

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call.

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

BILLS

Introduced - Manner of Setting Forth New and Old Material

Rule 37. (a) *When*. Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing*. Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. After December 1, 2005, matter which is added to the law shall be underscored whether typewritten or printed and need not be in bold-faced type. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"Explanation - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

After December 1, 2005, the explanation shall read as follows:

"Explanation - Matter that is underscored in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

Number of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

Timing for Placement on Calendar Federal Mandate Calendar

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it "do pass" or "without recommendation", it shall go upon the calendar of the House. No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline with which the State must comply with the federal mandate and what will happen if the State fails

to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted "do pass" on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported do pass by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it "do not pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table. . If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Bills Laid Over Informally

Rule 41. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

To Appear In Order

Rule 42. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule

Rule 43. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

Consent Calendar

Rule 44. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or contains penalty provisions, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House

Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for Referring Senate Consent Bills to Committee.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

AMENDMENTS AND SUBSTITUTES

Rule 45. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been placed on the members' desks in paper form, except for the desk of any member who has waived receipt of amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment shall be read in its entirety by the clerk unless it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration.

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill or amendment may be withdrawn by the sponsor before amendment or decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

(e) *Appropriations Bills.* 1. No amendment to the first 12 appropriations bills of the state budget constituting the operating budget of the state shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills as reported from the Committee on Budget. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills shall be required to contain an equal reduction in general revenue or general revenue equivalent appropriated in the same bill or shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in any other of the twelve bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the first 12 House appropriations bills of the state budget constituting the operating budget of the state only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Committee Substitute of the state budget constituting the operating budget of the state shall be adopted until all amendments to the first 12 House appropriations bills or substitute have been disposed of.

Committee Substitute Printed

Rule 46. When a committee recommends a substitute for a bill the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

Order of Amendments

Rule 47. When amendments to any bill, motion or proposition are pending they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(7) If a House Committee Substitute is not offered or adopted, the original House Bill is next voted upon, after opportunity for amendment.

Amendments Incorporated In Bill

Rule 48. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

BILLS AND JOINT RESOLUTIONS

Ayes and Noes Taken

Rule 49. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage

Rule 50. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority To Perfect

Rule 51. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection;
Perfecting Amendments

Rule 52. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Passage

Rule 53. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

Course After Passage

Rule 54. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

Perfecting Amendments on Bills Returned From the Senate

Rule 55. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports

Rule 56. (a) *Signatures on a Conference Report.* All conference committees shall be composed of five conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) *Review for Correctness.* Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) *Notice Requirements.* No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) *Exceeding the Differences.* Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions

Rule 57. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent of Congress

Rule 58. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

Reference of Resolutions, etc. Stand Referred

Rule 59. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full.

SENATE BILLS

Referral

Rule 60. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon The Calendar

Rule 61. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it "do pass", or "without recommendation", it shall stand automatically referred to the Committee on Rules. When a Senate Bill is reported from the Committee on Rules with the recommendation that it "do pass", or "without recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

Senate Bills Reported "Do Not Pass"

Rule 62. If a Senate Bill is reported from the committee to which referred with the recommendation that it "do not pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Amendments

Rule 63. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL

Rule 64. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

MOTIONS

Must Be Read or Stated Before Debate

Rule 65. When a motion is made it shall be stated by the Chair or read aloud by the Clerk before being debated.

When In Possession of the House

Rule 66. When a motion is stated by the Speaker or read by the clerk it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

To Be Reduced to Writing

Rule 67. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane

Rule 68. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged

Rule 69. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory

Rule 70. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

Privileged Motions In Order - When

Rule 71. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 69 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

Previous Question

Rule 72. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable

Rule 73. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

Division of Questions

Rule 74. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill.

Indefinite Postponement

Rule 75. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on the Table - How Taken Up

Rule 76. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds of the members present.

Motion to Recommit to Committee

Rule 77. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee, which shall be sustained if a majority of the members present vote in the affirmative.

Motion to Reconsider - Must Be Made within Three Days

Rule 78. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider

Rule 79. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking

Rule 80. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker." The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

Appeals

Rule 81. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise or Seek Recognition

Rule 82. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak - How Often

Rule 83. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the Bill and the ranking committee member from the party not the same as the Bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such Bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25(26).

No Member Shall Name Another Member in Debate

Rule 84. No member shall name another member in debate, but shall refer to the member by district number or county.

Members Not to Use Profanity

Rule 85. No member may use profanity either while speaking on the floor or in committee.

Members Not to Walk Across House - When

Rule 86. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

Order of Questions

Rule 87. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 69.

Voting

Rule 88. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member's vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded.

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

Verification of the Roll
Members Not to Interrupt Calling of Ayes and Noes;
Changing Vote

Rule 89. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

Demand for Verification

Rule 90. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

Bell to Signal Recorded Vote

Rule 91. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

Roll Call Votes

Rule 92. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by call in names of each member and recording their respective aye, no or present votes. Any member not responding when their name is called shall be recorded as absent.

Dress Code

Rule 93. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

Eating, Smoking, Distracting Activities

Rule 94. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries, except that members may smoke in the East Gallery.

Electronic Devices

Rule 95. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

Ascending the Dais

Rule 96. No person shall ascend to the Dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

INTERIM PROCEDURE

Bills - End of First Regular Session

Rule 97. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds of the elected members of the House.

Bills - Pre-Filing

Rule 98. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

Interim Committees

Rule 99. All standing committees named during the first regular session of a general assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the standing committee, to act in place of the standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

CALL OF THE HOUSE

Names of Absentees to Be Called

Rule 100. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For

Rule 101. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Voting In Progress

Rule 102. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

Majority Not Under Arrest May Censure And Fine
Delinquent Members

Rule 103. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody

Rule 104. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted

Rule 105. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chair Appointed by Speaker

Rule 106. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

Procedure upon Bills

Rule 107. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must Be
Incorporated in Original Motion

Rule 108. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendments Shall Be Noted

Rule 109. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings

Rule 110. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum

Rule 111. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions

Rule 112. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.

Admission to House Floor

Rule 113. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery

Rule 114. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery

Rule 115. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the press having valid credentials issued by the Speaker. All other upper galleries shall be open to the public.

RULES

May Be Rescinded or Amended - How

Rule 116. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

May Be Dispensed With

Rule 117. Rules 69, 78 and 79 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concur therein and motions for that purpose shall be limited to the question or proposition under consideration.

JEFFERSON'S MANUAL

Rule 118. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to, shall be taken as authority in deciding questions not otherwise provided for in these rules.

COMMITTEE ASSIGNMENTS**SPECIAL COMMITTEE ON PARLIAMENTARY PROCEDURE****Dempsey, Tom**

Goodman, Jack

Bearden, Carl

Bringer, Rachel

Burnett, John

Byrd, Richard

Cooper, Shannon

Villa, Tom

Chair

Vice Chair

ADMINISTRATION AND ACCOUNTS-STANDING**Wright, Mark**

Dusenberg, Gary

Cooper, Shannon

Cunningham, Mike

Davis, Cynthia

Lowe, Jenee

Salva, Ray

Wildberger, Ed

Chair

Vice Chair

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 115 - Special Committee on Parliamentary Procedure

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 214, introduced by Representative Pearce, relating to elections.

HB 215, introduced by Representative Pearce, relating to cities and towns.

HB 216, introduced by Representative Pollock, relating to veterans' medallion programs.

HB 217, introduced by Representative Lembke, relating to hepatitis C testing.

HB 218, introduced by Representatives Guest, Whorton, Sutherland, Sander, Dougherty, Moore, Sater, Ervin, Munzlinger, Brown (30) and Schlottach, relating to drivers' licenses.

HB 219, introduced by Representatives Salva and Johnson (47), relating to the naming of a room at the Missouri state archives.

HB 220, introduced by Representatives Moore, Munzlinger, Page, Sanders Brooks, Dusenberg, Fisher, Walton, Day, Emery, Donnelly, Ervin, Wildberger, Sutherland, Johnson (61), Bivins, Tilley, Storch, Sater, Bruns and Kraus, relating to tuition grants for certain dependents of military members.

HB 221, introduced by Representatives Moore, Munzlinger, Page, Day, Fisher, Harris (110), Walton, Chinn, Dusenberg, Emery, Dougherty, Dixon, Pratt, Ervin, Sutherland, Sater, Byrd, Kraus, Lembke, Sander and Day, relating to income tax exemptions for military pensions.

HB 222, introduced by Representatives Moore, Dusenberg, Fisher, Harris (110), Walton, Meadows, Emery, Dougherty, Ervin, Sutherland, Johnson (61), Tilley, Byrd and Lembke, relating to income taxation.

HB 223, introduced by Representative Bland, relating to highways.

HB 224, introduced by Representative Bland, relating to drivers license reinstatement.

HB 225, introduced by Representative Bruns, relating to the administrative law judge retirement system.

HB 226, introduced by Representatives Sater, Walton, Weter, Dougherty, Low (39), Darrough, Sander, Dusenberg, Storch, Donnelly and Aull, relating to an income tax credit for qualified hybrid vehicle purchases.

HB 227, introduced by Representatives Cooper (120) and Skaggs, relating to a private car ad valorem tax credit.

HB 228, introduced by Representatives Portwood, Brown (30), Day, Ervin, Chappelle-Nadal, Wildberger, Bivins and Darrough, relating to an income tax deduction for long-term care insurance premiums.

HB 229, introduced by Representatives Portwood, Lembke, LeVota, Munzlinger, Bivins and Sander, relating to the homestead exemption for the elderly.

HB 230, introduced by Representatives Portwood and Bivins, relating to senior citizens property tax relief.

HB 231, introduced by Representatives Portwood and Denison, relating to the Missouri senior advocacy and efficiency commission.

HB 232, introduced by Representative Portwood, relating to patient health care records.

HB 233, introduced by Representatives Roorda, Hughes, Meadows, Selby, Oxford, Johnson (90), Parson, Jones, Casey, Wagner and Harris (110), relating to property damage of a motor vehicle.

HB 234, introduced by Representatives Storch, Zweifel and Donnelly, relating to the administrative law judge retirement.

COMMUNICATION

REPORT AND RECOMMENDATION TO THE GENERAL ASSEMBLY

Pursuant to 536.021, RSMo.

IN RE: Department of Natural Resources, Hazardous Waste Commission, Dry cleaning Environmental Response Trust Fund. (DERT)

RULES:

10 CSR 25-17.010 -	Applicability
10 CSR 25-17.020 -	Definitions
10 CSR 25-17.030 -	Registration and Surcharges
10 CSR 25-17.040 -	Reporting and Recordkeeping
10 CSR 25-17.050 -	Reporting of Releases and Existing Contamination
10 CSR 25-17.060 -	Site Prioritization and Completion
10 CSR 25-17.070 -	Closure of Facilities
10 CSR 25-17.080 -	Site Characterization and Corrective Action
10 CSR 25-17.090 -	Application Procedures
10 CSR 25-17.100 -	Participation and Eligibility for Funding
10 CSR 25-17.110 -	Eligible Costs
10 CSR 25-17.120 -	Payment of Deductible and Limits on Payments
10 CSR 25-17.130 -	Suspension of Collection of Surcharges; Reinstatement
10 CSR 25-17.140 -	General Reimbursement Procedures
10 CSR 25-17.150 -	Claims
10 CSR 25-17.160 -	Notification of Abandoned Sites
10 CSR 25-17.170 -	Violation of Dry Cleaning Remediation Laws

THE JOINT COMMITTEE ON ADMINISTRATIVE RULES ADVISES AND RECOMMENDS TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEM OF THE SENATE THAT THE JOINT COMMITTEE ON ADMINISTRATIVE RULES HAS DISAPPROVED THE ABOVE-REFERENCED RULES AND FURTHER RECOMMENDS THAT THE GENERAL ASSEMBLY ADOPT LEGISLATION EXTENDING THE STATUTORY DEADLINES CONTAINED IN THE DRY CLEANING EMERGENCY RESPONSE TRUST FUND STATUTES IN SECTIONS 260.900 - 260.960 RSMo. BY FIVE YEARS, THEREBY REAUTHORIZING THE HAZARDOUS WASTE MANAGEMENT COMMISSION TO PROMULGATE RULES TO BE EFFECTIVE BY JULY 1, 2007.

IN SUPPORT THEREOF, THE COMMITTEE STATES:

WHEREAS,

1. On April 15, 2004, The Hazardous Waste Management Commission filed notices of proposed rulemaking to amend:

10 CSR 25-17.010 -	Applicability
10 CSR 25-17.020 -	Definitions
10 CSR 25-17.030 -	Registration and Surcharges
10 CSR 25-17.040 -	Reporting and Recordkeeping
10 CSR 25-17.050 -	Reporting of Releases and Existing Contamination
10 CSR 25-17.060 -	Site Prioritization and Completion
10 CSR 25-17.070 -	Closure of Facilities
10 CSR 25-17.080 -	Site Characterization and Corrective Action
10 CSR 25-17.090 -	Application Procedures
10 CSR 25-17.100 -	Participation and Eligibility for Funding
10 CSR 25-17.110 -	Eligible Costs
10 CSR 25-17.120 -	Payment of Deductible and Limits on Payments
10 CSR 25-17.130 -	Suspension of Collection of Surcharges; Reinstatement
10 CSR 25-17.140 -	General Reimbursement Procedures
10 CSR 25-17.150 -	Claims
10 CSR 25-17.160 -	Notification of Abandoned Sites
10 CSR 25-17.170 -	Violation of Dry Cleaning Remediation Laws

2. The proposed amendments were filed with the Joint Committee on Administrative Rules (herein after "committee") on April 15, 2004;

3. The final orders of rulemaking were filed with the office of the Joint Committee on Administrative Rules on August 24, 2004;

4. On September 16, 2004, the committee conducted a hearing on the final orders of rulemaking for the proposed amendments, with testimony from the Hazardous Waste Management Commission, opponents of the rule and proponents of the amendment to the rule;

5. On September 16, 2004, the committee met in executive session and voted 8-1 to disapprove the final orders of rulemaking for the proposed amendments, have the Hazardous Waste Management Commission hold the rule in abeyance for thirty legislative days and recommend the General Assembly permanently suspend the disapproved amendment of the rule by concurrent resolution;

6. A majority vote of the members of the committee found the rule lacking in compliance with the provisions of Chapter 536 RSMo. in that the Commission lacked statutory authority to promulgate the rules after the statutory deadline for promulgation of rules contained in §260.905 RSMo., which was July 1, 2002, in violation of §536.014 RSMo.;

7. On December 23, 2004, the Hazardous Waste Management Commission filed its withdrawal of the disapproved rules with the Joint Committee on Administrative Rules;

8. On September 16, 2004, the committee further voted 9-0 to make a recommendation to the General Assembly to adopt legislation extending the statutory deadlines contained in the Dry Cleaning Emergency Response Trust Fund statutory provisions by five years, thereby reauthorizing the Commission to promulgate rules to be effective by July 1, 2007;

WHEREFORE, THE JOINT COMMITTEE ON ADMINISTRATIVE RULES RECOMMENDS THAT THE GENERAL ASSEMBLY ADOPT LEGISLATION EXTENDING THE STATUTORY DEADLINES CONTAINED IN THE DRY CLEANING EMERGENCY RESPONSE TRUST FUND STATUTES IN

SECTIONS 260.900 - 260.960 RSMo. BY FIVE YEARS, THEREBY REAUTHORIZING THE HAZARDOUS WASTE MANAGEMENT COMMISSION TO PROMULGATE RULES TO BE EFFECTIVE BY JULY 1, 2007.

/s/ Senator Chuck Gross
Chair

/s/ Representative Richard Byrd
Vice-Chair

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Tuesday, January 18, 2005.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Tuesday, January 18, 2005, 3:00 p.m. Room 414, State Capitol Building, Jefferson City, MO.
Accounts Committee Resolutions 1 and 2. AMENDED

SPECIAL COMMITTEE ON PARLIAMENTARY PROCEDURE

Tuesday, January 18, 2005, 2:00 p.m. Hearing Room 3.
House Resolution 115.

HOUSE CALENDAR

SEVENTH DAY, TUESDAY, JANUARY 18, 2005

HOUSE BILLS FOR SECOND READING

HB 214 through HB 234

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 18, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father David Buescher.

Heavenly Father, You who made the heart and soul of the human person and put deep within us a desire for the common good, hear our prayer to You today. As this House begins another week, pull our spirits from the cold of the weather to the warmth of our concern for this state in which we live.

As we remembered Dr. Martin Luther King's dream for us yesterday, give us strength today to work to make our dreams for the people of Missouri solid and real. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christopher J. Bates, Jason A. Bates, Regan L. Bates, Braden C. Bates, Brandon Barr and Lauren Barr.

The Journal of the sixth day was approved as corrected.

HOUSE RESOLUTION

Representative Icet offered House Resolution No. 134.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 126	-	Representative Hunter
House Resolution No. 127	-	Representative Moore
House Resolution No. 128	-	Representative Cooper (120)
House Resolution No. 129		
through		
House Resolution No. 132	-	Representatives Dempsey and Smith (14)
House Resolution No. 133	-	Representative Whorton
House Resolution No. 135	-	Representative Dempsey
House Resolution No. 136	-	Representatives Dempsey and Harris (23)
House Resolution No. 137	-	Representative Wildberger
House Resolution No. 138	-	Representative Swinger
House Resolution No. 139	-	Representative Moore

House Resolution No. 140 - Representatives Bruns and Deeken
House Resolution No. 141
 through
House Resolution No. 144 - Representative Lipke
House Resolution No. 145 - Representative Myers

SECOND READING OF HOUSE BILLS

HB 214 through **HB 234** were read the second time.

COMMITTEE REPORT

Special Committee on Parliamentary Procedure, Chairman Dempsey reporting:

Mr. Speaker: Your Special Committee on Parliamentary Procedure, to which was referred **House Resolution No. 115**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE RESOLUTION NO. 115
(Proposed)

RULES OF THE HOUSE OF REPRESENTATIVES
93RD GENERAL ASSEMBLY
Adopted January 18, 2005

TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term "constitutional majority", as used herein, shall mean eighty-two members of the House.

ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:
 - (i) Reading and approval of the Journal of the previous day's session.
 - (ii) Introduction and first reading of House Joint Resolutions.
 - (iii) Introduction and first reading of House Bills.
 - (iv) Second reading of House Bills and Joint Resolutions.
 - (v) Reports of standing committees.
 - (vi) Reports of special committees.
 - (vii) Bills, reports and other business on the table.
 - (viii) House Joint Resolutions to be perfected and printed.
 - (ix) House Bills to be perfected and printed.

- (x) Third reading of House Joint Resolutions.
- (xi) Third reading of House Bills.
- (xii) Messages from the Senate.
- (xiii) First reading of Senate Joint Resolutions and Senate Bills.
- (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
- (xv) Third reading of Senate Joint Resolutions.
- (xvi) Third reading of Senate Bills.
- (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
- (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
- (xix) Such other orders of business as deemed necessary pursuant to law.

HEADINGS ON HOUSE CALENDAR

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (i) House Joint Resolutions to be perfected and printed - laid over informally.
- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon the Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.

- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

FIRST AND SECOND READING OF BILLS

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the members present.

ORDERS OF THE DAY

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

ELECTION OF OFFICERS

GENERALLY

Election; Oath; Compensation

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly: its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean himself or herself in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

Parliamentary Rulings;

Referral to Parliamentary Committee

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary

Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place.

Speaker May Speak on Points of Order

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

Appeal from a Ruling of the Chair

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

Supervision of House Employees

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

Speaker May Clear Hall

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not, however, have the power to remove members from the floor of the House, except by a majority vote of those present.

Manner of Putting Questions

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device.

OTHER OFFICERS

Speaker Pro Tem

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

Chief Clerk

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Sergeant-at-Arms; Doorkeeper and Chaplain

Rule 20. (a) SERGEANT-AT-ARMS. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) DOORKEEPER. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties and shall obey such other orders as may be made by the House.

(c) CHAPLAIN. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Employees

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership

Rule 22. All standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each committee shall be appointed by the Minority Floor Leader, subject to the final approval of the Speaker. The vice-chairman shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and discussion but shall have no vote unless they are duly appointed members of said committee. The membership of all standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special committees as he/she deems necessary. Any special committee shall have the authority and duties of a standing committee if so designated by the Speaker. The Speaker may dissolve and/or discharge the members of any conference, interim, or special committee at any time and reappoint the members thereof.

Time of Sitting

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

Standing Committees Enumerated

Rule 24. The standing committees of the House shall be as follows:

1. Administration and Accounts.
2. Agriculture Policy.
3. Appropriations - Agriculture and Natural Resources.
4. Appropriations - Education.
5. Appropriations - General Administration.
6. Appropriations - Health, Mental Health and Social Services.
7. Appropriations - Public Safety and Corrections.
8. Appropriations - Transportation and Economic Development.
9. Budget.
10. Children and Families.
11. Conservation and Natural Resources.
12. Corrections and Public Institutions.
13. Crime Prevention and Public Safety.
14. Elections.
15. Elementary and Secondary Education.
16. Financial Institutions.
17. Fiscal Review.
18. Health Care Policy.
19. Higher Education.
20. Insurance Policy.
21. Job Creation and Economic Development.
22. Judiciary.
23. Local Government.
24. Professional Registration and Licensing.
25. Retirement.
26. Rules.
27. Senior Citizen Advocacy.
28. Small Business.
29. Tourism.
30. Transportation.
31. Utilities.
32. Veterans.
33. Ways and Means.
34. Workforce Development and Workplace Safety.

Duties of the Standing Committees

Rule 25. (1) *Administration and Accounts.*

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members, according to seniority within each respective party caucus, except that no member

shall be forced to give up his/her offices, chamber seat or parking space that he/she currently occupies unless such office, chamber seat or parking space is re-assigned by the committee to the members of the opposite party. Notwithstanding any provision of this rule to the contrary, the committee may make assignments to House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members.

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture Policy may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture and agri-business in this state.

(3) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(4) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(5) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, the Department of Revenue, the Judiciary and the Public Defender.

(6) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(7) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

(8) *The Committee on Appropriations - Transportation and Economic Development.* The Committee on Appropriations - Transportation and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, the Department of Insurance and the Department of Labor and Industrial Relations.

(9) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it which, in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If

the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

(10) *The Committee on Children and Families.* The Committee on Children and Families may consider and report upon bills and matters referred to it relating to the health, well-being and security of children and families. The Committee may also consider and report upon bills and matters referred to it relating to social services and housing.

(11) *The Committee on Conservation and Natural Resources.* The Committee on Conservation and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Conservation, state parks, fish and game, forestry, natural resources, environment and mining.

(12) *The Committee on Corrections and Public Institutions.* The Committee on Corrections and Public Institutions may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, the state penitentiary, state hospitals, charitable institutions, and other state properties.

(13) *The Committee on Crime Prevention and Public Safety.* The Committee on Crime Prevention and Public Safety may consider and report upon bills and matters referred to it relating to criminal laws, public safety and law enforcement matters.

(14) *The Committee on Elections.* The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

(15) *The Committee on Elementary and Secondary Education.* The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

(16) *The Committee on Financial Institutions.* The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions and other financial institutions

(17) *The Committee on Fiscal Review.* The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion to recommit, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House sponsor or floor handler, amend an effective date onto any bill referred to the Committee.

(18) *The Committee on Health Care Policy.* The Committee on Health Care Policy may consider and report upon bills and matters referred to it relating to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it relating to Medicaid and related matters.

(19) *The Committee on Higher Education.* The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters relating to financing, facilities, staff, curriculum and related matters.

(20) *The Committee on Insurance Policy.* The Committee on Insurance Policy may consider and report upon bills and matters referred to it relating to insurance, insurance companies and the Department of Insurance.

(21) *The Committee on Job Creation and Economic Development.* The Committee on Job Creation and Economic Development may consider and report upon bills and matters referred to it relating to commerce, industrial growth, expansion, and development and the creation and retention of jobs.

(22) *The Committee on Judiciary.* The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

(23) *The Committee on Local Government.* The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

(24) *The Committee on Professional Registration and Licensing.* The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating to the regulation of professions and occupations and relating to boards, bureaus and commissions that examine the qualifications of persons engaged in certain professions and occupations and the duties of such agencies and the persons registered by them. The committee may also consider and report upon bills and matters referred to it relating to consumer protection issues.

(25) *The Committee on Retirement.* The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees.

(26) *The Committee on Rules.* (a) *Duties Generally.* The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number and sponsor. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds (2/3) of the standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third reading calendar.* Upon petition of two-thirds (2/3) of the standing committee chairmen, the Committee on Rules shall have the authority to consider and remove any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) *Review of Bills Reported from Standing Committees.*

1. Whenever a standing committee reports a bill with a recommendation that it "Do Pass" or "Without Recommendation", the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

- a. Report the bill "Do Pass" to the House without a limitation on time of debate on the bill or amendments.
- b. Report the bill "Do Pass" to the House with a limitation on the time of debate.
- c. Send the bill back to the originating committee.

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill "Do Pass".

2. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Consent", the Rules Committee shall review the bill for the purpose of determining whether or not it should have "consent" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Consent" calendar. When the Committee on Rules declines to place the bill on the appropriate "Consent" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "consent" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Consent".

3. When a bill is automatically referred to the Committee on Rules with a recommendation that it "Do Pass - Federal Mandate", the Committee on Rules shall review the bill for the purpose of determining whether or not it should have "federal mandate" status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate "Federal Mandate" calendar. When the Committee on Rules declines to place the bill on the appropriate "Federal Mandate" calendar, it may consider whether or not to report the bill to the House with a "Do Pass" recommendation, without "federal mandate" status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as "Do Pass - Federal Mandate".

4. When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

5. In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions. The committee shall not amend any bill that was not initially referred to the Committee on Rules.

(g) When a standing committee has reported a bill "Do Pass" with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(27) *The Committee on Senior Citizen Advocacy.* The Committee on Senior Citizen Advocacy may consider and report upon bills and matters referred to it relating to the security and health of the senior citizens of the State, including matters relating to their care and housing, and the providers of those services.

(28) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention and operations of small businesses in the State.

(29) *The Committee on Tourism.* The Committee on Tourism may consider and report upon bills and matters referred to it relating to the development and promotion of travel, tourism, recreation, the arts and cultural affairs.

(30) *The Committee on Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

(31) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy-related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

(32) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

(33) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

(34) *The Committee on Workforce Development and Workplace Safety.* The Committee on Workforce Development and Workplace Safety may consider and report upon bills and matters referred to it relating to Workers' Compensation, Employment Security and the departments administering each of these, and on matters referred to it relating to the conditions and interest of labor.

Duties of Committee Chair; Committee Organization

Rule 26. (a) *Duty to preside.* It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee shall preside, and in his/her absence, a member appointed by the chair.

(b) *Duty to maintain minute book.* The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each general assembly.

(c) *Duty to preserve order.* The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents.* The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails.* Whenever a motion that a bill "Do Pass" shall fail, or if there be an even division on the question, the chair shall report said bill back to the House "Do Not Pass" unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (i) the chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider.

Committee Hearings

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

Quorum

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings - How Announced

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker's office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

Committee Substitutes

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

Other Duties

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be called by the chair or secretary of a committee at each meeting.

Minority Views

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

Committee Relieved of Bill - When

Rule 34. No bill shall be taken away from any standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

Election Contest

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the standing Committee on Elections or a special committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee
Complaints of Ethical Misconduct

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call.

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

BILLS

Introduced - Manner of Setting Forth
New and Old Material

Rule 37. (a) *When.* Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing.* Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"Explanation - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) *Numbering of Bills.* The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

Number of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

Timing for Placement on Calendar
Federal Mandate Calendar

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it "do pass" or "without recommendation", it shall go upon the calendar of the House. No bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline by which the State must comply with the federal mandate and what will happen if the State fails to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted "do pass" on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported "do pass" by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it "do not pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Bills Laid Over Informally

Rule 41. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

To Appear In Order

Rule 42. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule

Rule 43. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

Consent Calendar

Rule 44. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or

contains penalty provisions, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for Referring Senate Consent Bills to Committee.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

AMENDMENTS AND SUBSTITUTES

Rule 45. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been placed on the members' desks in paper form, except for the desk of any member who has waived receipt of amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment shall be read in its entirety by the clerk unless it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration.

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill or amendment may be withdrawn by the sponsor before amendment or decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

(f) *Appropriations Bills.* 1. No amendment to the first 12 appropriations bills of the state budget constituting the operating budget of the state shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills as reported from the Committee on Budget. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the aforementioned 12 House appropriations bills shall be required to contain an equal reduction in general revenue or general revenue equivalent appropriated in the same bill or shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in any other of the twelve bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the first 12 House appropriations bills of the state budget constituting the operating budget of the state only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Committee Substitute of the state budget constituting the operating budget of the state shall be adopted until all amendments to the first 12 House appropriations bills or substitutes have been disposed of.

Committee Substitute Printed

Rule 46. When a committee recommends a substitute for a bill, the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

Order of Amendments

Rule 47. When amendments to any bill, motion or proposition are pending, they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(6) If a House Committee Substitute is not offered or adopted, the original House Bill is next voted upon, after opportunity for amendment.

Amendments Incorporated In Bill

Rule 48. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

BILLS AND JOINT RESOLUTIONS

Ayes and Noes Taken

Rule 49. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage

Rule 50. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority To Perfect

Rule 51. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection; Perfecting Amendments

Rule 52. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Passage

Rule 53. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

Course After Passage

Rule 54. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

Perfecting Amendments on Bills Returned From the Senate

Rule 55. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports

Rule 56. (a) Signatures on a Conference Report. All conference committees shall be composed of five conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) Review for Correctness. Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) Notice Requirements. No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) Exceeding the Differences. Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions

Rule 57. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent Resolutions of Congress

Rule 58. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

Reference of Resolutions, etc.

Stand Referred

Rule 59. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full.

SENATE BILLS

Referral

Rule 60. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon The Calendar

Rule 61. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it "do pass", or "without recommendation", it shall stand automatically referred to the Committee on Rules. When a Senate Bill is reported from the Committee on Rules with the recommendation that it "do pass", or "without recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

Senate Bills Reported "Do Not Pass"

Rule 62. If a Senate Bill is reported from the committee to which referred with the recommendation that it "do not pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional

majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Amendments

Rule 63. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL

Rule 64. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

MOTIONS

Must Be Read or Stated Before Debate

Rule 65. When a motion is made it shall be stated by the Chair or read aloud by the Clerk before being debated.

When In Possession of the House

Rule 66. When a motion is stated by the Speaker or read by the Clerk it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

To Be Reduced to Writing

Rule 67. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane

Rule 68. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged

Rule 69. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory

Rule 70. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

Privileged Motions In Order - When

Rule 71. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 69 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

Previous Question

Rule 72. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the

motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable

Rule 73. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

Division of Questions

Rule 74. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill.

Indefinite Postponement

Rule 75. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on the Table - How Taken Up

Rule 76. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds (2/3) of the members present.

Motion to Recommit to Committee

Rule 77. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee, which shall be sustained if a majority of the members present vote in the affirmative.

Motion to Reconsider - Must Be Made Within Three Days

Rule 78. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider

Rule 79. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking

Rule 80. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker". The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself

to the questions under debate and avoid personality. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

Appeals

Rule 81. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order, he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise or Seek Recognition

Rule 82. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak - How Often

Rule 83. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the bill and the ranking committee member from the party not the same as the bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25(26).

No Member Shall Name Another Member in Debate

Rule 84. No member shall name another member in debate, but shall refer to the member by district number or county.

Members Not to Use Profanity

Rule 85. No member may use profanity either while speaking on the floor or in committee.

Members Not to Walk Across House - When

Rule 86. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

Order of Questions

Rule 87. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 69.

Voting

Rule 88. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member's vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded.

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

Verification of the Roll
Members Not to Interrupt Calling of Ayes and Noes;
Changing Vote

Rule 89. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

Demand for Verification

Rule 90. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

Bell to Signal Recorded Vote

Rule 91. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

Roll Call Votes

Rule 92. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by calling the name of each member and recording the respective aye, no or present votes. Any member not responding when his/her name is called shall be recorded as absent.

Dress Code

Rule 93. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

Eating, Smoking, Distracting Activities

Rule 94. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries, except that members may smoke in the East Gallery.

Electronic Devices

Rule 95. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

Ascending the Dais

Rule 96. No person shall ascend to the Dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

INTERIM PROCEDURE

Bills - End of First Regular Session

Rule 97. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds (2/3) of the elected members of the House.

Bills - Pre-Filing

Rule 98. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

Interim Committees

Rule 99. All standing committees named during the first regular session of a General Assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the standing committee, to act in place of the standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

CALL OF THE HOUSE

Names of Absentees to Be Called

Rule 100. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For

Rule 101. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Voting In Progress

Rule 102. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

Majority Not Under Arrest May Censure And Fine
Delinquent Members

Rule 103. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody

Rule 104. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted

Rule 105. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chair Appointed by Speaker

Rule 106. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

Procedure upon Bills

Rule 107. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must Be
Incorporated in Original Motion

Rule 108. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendments Shall Be Noted

Rule 109. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings

Rule 110. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum

Rule 111. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions

Rule 112. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.

Admission to House Floor

Rule 113. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery

Rule 114. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery

Rule 115. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the press having valid credentials issued by the Speaker. All other upper galleries shall be open to the public.

RULES

May Be Rescinded or Amended - How

Rule 116. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

May Be Dispensed With

Rule 117. Rules 69, 78 and 79 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds (2/3) of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concurs therein and motions for that purpose shall be limited to the question or proposition under consideration.

JEFFERSON'S MANUAL

Rule 118. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to shall be taken as authority in deciding questions not otherwise provided for in these rules.

SUPPLEMENTAL CALENDAR

JANUARY 18, 2005

HOUSE RESOLUTION

HCS HR 115 - Dempsey

HOUSE RESOLUTION

HCS HR 115, relating to House Rules, was taken up by Representative Dempsey.

Speaker Pro Tem Bearden assumed the Chair.

Speaker Jetton resumed the Chair.

On motion of Representative Dempsey, **HCS HR 115** was adopted by the following vote:

AYES: 100

Bean	Bearden	Behnen	Bivins	Black
Bland	Boykins	Brown 30	Bruns	Byrd
Chappelle-Nadal	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hoskins	Hubbard
Hunter	Icet	Johnson 47	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 118	Smith 14	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Wagner	Wallace

Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 055

Aull	Baker 25	Barnitz	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Corcoran
Darrough	Daus	Donnelly	Fraser	George
Harris 110	Harris 23	Haywood	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 002

Kuessner	Viebrock
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ABSENT WITH LEAVE: 005

Avery	Baker 123	Jackson	Jones	Pratt
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VACANCIES: 001

On motion of Representative Dempsey, **HR 115, as amended by the House Committee Substitute**, was adopted by the following vote:

AYES: 100

Bean	Bearden	Behnen	Bivins	Black
Bland	Boykins	Brown 30	Bruns	Byrd
Chappelle-Nadal	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hoskins	Hubbard
Hunter	Icet	Johnson 47	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 118	Smith 14	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Wagner	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 056

Aull	Baker 25	Barnitz	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Corcoran
Darrough	Daus	Donnelly	Fraser	George
Harris 110	Harris 23	Haywood	Henke	Hughes

Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 001

Viebrock

ABSENT WITH LEAVE: 005

Avery	Baker 123	Jackson	Jones	Pratt
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VACANCIES: 001

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 235, introduced by Representatives Fares, Bivins, Portwood, Icet, Fraser, Daus, Skaggs, Jackson, Schaaf, Lembke, Donnelly, Lowe (44), Byrd, Bearden, Brown (50), Hughes, Stefanick, Schoemehl and Villa, relating to the taxation of property.

HB 236, introduced by Representative Goodman, relating to a national guard armory.

HB 237, introduced by Representatives Lampe, Kuessner, Schoemehl, Chappelle-Nadal, Brown (50) and Roorda, relating to Southwest Missouri State University.

HB 238, introduced by Representatives Yates, Richard, Dusenberg, Moore, Wilson (119), Cooper (158), Page, Sater, Myers and Cunningham (86), relating to retirement benefits for commission appointees.

HB 239, introduced by Representative Low (39), relating to the health plan for state employees.

HB 240, introduced by Representative Low (39), relating to the safe staffing and quality care accountability acts.

HB 241, introduced by Representative Jackson, relating to motor vehicle registration information.

HB 242, introduced by Representatives Yates and Pratt, relating to exemptions from state and local sales and use tax.

HB 243, introduced by Representatives May, Quinn, Meadows, Threlkeld, Lowe (44), Whorton, Smith (14), Sater, Dusenberg, Bivins, Hobbs, Sutherland and Moore, relating to the designation of a memorial highway.

HB 244, introduced by Representatives Weter, Brown (30), Day, Sater, Whorton, Munzlinger, Wildberger, Sander, Denison, Bivins, Lampe, Darrough and Schad, relating to assault of a law enforcement officer, jailer, or emergency personnel.

HB 245, introduced by Representative Shoemyer, relating to hand fishing.

HB 246, introduced by Representative Shoemyer, relating to durable medical equipment providers.

HB 247, introduced by Representatives Dusenberg, Wilson (119), Threlkeld, Sater, Bivins, Avery, Donnelly, LeVota and Page, relating to child safety restraints.

HB 248, introduced by Representative Pearce, relating to the motor vehicle time sales law.

HB 249, introduced by Representative Parker, relating to limitations on firearms possession for domestic violence offenses.

HB 250, introduced by Representative Skaggs, relating to alcohol beverage vaporizers.

HB 251, introduced by Representative Cunningham (86), relating to teachers in Missouri school districts.

HB 252, introduced by Representatives Fraser, Myers, Wood, Yaeger, Low (39), Roorda, Bivins, Baker (25), Harris (110), Sander, Chappelle-Nadal and Oxford, relating to adoption records.

HB 253, introduced by Representative Smith (14), relating to Sunday liquor sales.

HB 254, introduced by Representative Bruns, relating to professional engineers license plate.

HB 255, introduced by Representatives Cunningham (86) and Dougherty, relating to ethics complaints.

HB 256, introduced by Representative Cunningham (86), relating to sales taxes on health and fitness centers.

HB 257, introduced by Representatives Cunningham (86) and Davis, relating to property taxation.

HB 258, introduced by Representative Cunningham (86), relating to school district census requirements.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Lowe (44) is no longer a member of the House Administration and Accounts Committee.

Representative Wagner has been appointed a member of the House Administration and Accounts Committee.

COMMUNICATION

Pursuant to the provisions of Section 226.133, RSMo, the Missouri Department of Transportation has presented to the General Assembly its proposed plan and an analysis thereof. A copy is on file in the office of the Chief Clerk.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, January 19, 2005.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative John L. Bowman, District 70, hereby state and affirm that I was present during the session of the House Representatives on Thursday, January 13, 2005 and that the House Journal inaccurately reflects my absence. Pursuant to House Rule 88, I ask that the Journal be corrected to note my presence in the House Journal for Thursday, January 13, 2005.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of January 2005.

/s/ John L. Bowman
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of January in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

HOUSE CALENDAR

EIGHTH DAY, WEDNESDAY, JANUARY 19, 2005

HOUSE BILLS FOR SECOND READING

HB 235 through HB 258

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

EIGHTH DAY, WEDNESDAY, JANUARY 19, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

We give thanks to You, O Lord, because You instruct us. Even at night, at the end of our busy day, we sense Your leading. May we remain attentive to Your voice.

Guide us as we begin the serious and considerable task before us. We take nothing for granted.

But, we trust in You, Lord; we say, "You are God." The course of our life is in Your hand.

Grant us necessary times of rest, physical and spiritual, in order that we might begin each day refreshed and alert, motivated and prepared.

May we serve well the needs of the people and may Your grace, mercy and peace abide with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Salma Eltahira, Cori Bonham, Kelsey Richard, Susie Becher, Lauren Ortwein, Kane Baughn, Destiny Watkins, Zachery Brown, Jessica Jones, Ajla Jujic, Chelsey Rhoda, Ethen Maddox, Clinton Hubbard, Jake Rhodes, Billy Farrow, Jayla Brown, Napoleon Tisdale, Mikael Hollinshed, Michelle Kramp and Andria Holtzman.

Representative Yates assumed the Chair.

The Journal of the seventh day was approved as printed by the following vote:

AYES: 150

Aull	Baker 25	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman

Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson 47	Johnson 61	Johnson 90	Jolly
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 004

Darrough	George	Spreng	Vogt
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PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Baker 123	Bowman	Boykins	Cooper 158
Dempsey	Jackson	Jones		

VACANCIES: 001

HOUSE RESOLUTION

Representative Jones offered House Resolution No. 163.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 146	-	Representative Aull
House Resolution No. 147	-	Representative Cooper (158)
House Resolution No. 148		
through		
House Resolution No. 157	-	Representative Goodman
House Resolution No. 158	-	Representative LeVota
House Resolution No. 159	-	Representative Cooper (155)
House Resolution No. 160	-	Representative Bearden
House Resolution No. 161	-	Representatives Roorda and Selby
House Resolution No. 162	-	Representative Barnitz
House Resolution No. 164	-	Representative Harris (23)

House Resolution No. 165 - Representative Zweifel
House Resolution No. 166 - Representatives Deeken and Dixon

SECOND READING OF HOUSE BILLS

HB 235 through **HB 258** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 8, introduced by Representatives Dethrow, Ervin, Dougherty, Moore, Munzlinger, Wilson (119), Dusenberg and Brown (30), relating to bird, fish, game, wildlife, or forestry resources.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 259, introduced by Representatives Deeken, Kingery, Kuessner, Swinger, Bean, Wright (159), Dethrow, Jetton, Bruns and Schad, relating to political subdivision elections.

HB 260, introduced by Representative Deeken, to authorize the conveyance of property owned by the state in Cole County to the Regional West Fire District.

HB 261, introduced by Representative Deeken, relating to local government employee retirement.

HB 262, introduced by Representative Dethrow, relating to motor vehicle registrations.

HB 263, introduced by Representatives Dethrow, Ervin, Moore, Munzlinger, Wilson (119), Threlkeld, Sander and Kuessner, relating to retirement benefits for commission appointees.

HB 264, introduced by Representatives Smith (14), Brown (30), Chappelle-Nadal, Whorton, Bivins and Walton, relating to tuition rates for undergraduate students at institutions of higher education.

HB 265, introduced by Representatives Johnson (47), Skaggs and Pratt, relating to the sale of used motor vehicles.

HB 266, introduced by Representative Myers, relating to whistleblower protections for physicians.

HB 267, introduced by Representatives Myers, Bean, Hobbs and Wood, relating to agricultural demonstration awards.

HB 268, introduced by Representative Goodman, relating to the tobacco master settlement agreement.

HB 269, introduced by Representatives Bruns, Wildberger, Meadows, Roorda, Walton and Byrd, relating to torts and action for damages.

HB 270, introduced by Representative Pratt, relating to jury service.

HB 271, introduced by Representative Schaaf, relating to financial interests of hospitals.

HB 272, introduced by Representative Pratt, relating to qualifications for civilian review boards.

HB 273, introduced by Representatives George, Walsh, Lowe (44) and Wagner, relating to good faith employee negotiations.

HB 274, introduced by Representatives George, Walsh, Lowe (44) and Wagner, relating to noncertificated school employees.

HB 275, introduced by Representative Cunningham (86), relating to health services provided at public institutions of higher education.

HB 276, introduced by Representative Cunningham (86), relating to special educational services.

HB 277, introduced by Representatives Oxford, Roorda, Casey, Walton, Chappelle-Nadal, Hoskins, Storch, Low (39), Fraser and Lampe, relating to prevention, screening, and treatment of lead poisoning.

HB 278, introduced by Representatives Walsh, Wright-Jones, Johnson (61), Lowe (44), Meiners, Young, Meadows, Bowman, Hoskins, Fisher, Daus, Low (39), Kratky, Henke, Harris (110), Roorda, Haywood, Vogt, Robinson, Liese, Johnson (90), Corcoran, Darrough, Chappelle-Nadal, Hughes, Shoemyer, Aull, Spreng, Yaeger, Boykins, Rucker, Curls, El-Amin, Bland, Swinger, Wildberger, Henke, Wagner, Villa, Schoemehl, Page, Salva, Moore and Zweifel, relating to mental health facilities.

HB 279, introduced by Representatives Walsh, Meiners, Young, Vogt, Hoskins, Darrough, Whorton, George, Harris (110), Kratky, Hughes and Sater, relating to student athletes.

HB 280, introduced by Representatives Walsh, Johnson (61), Lowe (44), Meiners, Young, Spreng, Jolly, Vogt, Salva, George, Page, Harris (110), Kratky, Hughes, Moore, Meadows, Corcoran, Whorton, Boykins, Hubbard, Chappell-Nadal, Hoskins, Zweifel, Wildberger, Sander, Darrough, Low (39) and Sater, relating to physically disabled voters.

WITHDRAWAL OF HOUSE BILLS

January 19, 2005

Mr. Stephen S. Davis
Office of the Chief Clerk
Room 306C, State Capitol
Jefferson City, MO 65101

I respectfully request that **House Bill No. 26** be withdrawn. This bill will be reintroduced at a later date with additional co-sponsors.

Thank you for your assistance in this matter.

Sincerely,

/s/ B. J. Marsh
District 136

January 19, 2005

Dear Mr. Davis:

I respectfully request to withdraw **House Bill No. 31**. I do plan on resubmitting this bill at a later date.

Very truly yours,

/s/ Representative Robert Schaaf

The following members' presence was noted: Baker (123), Bowman and Boykins.

ADJOURNMENT

On motion of Representative Goodman, the House adjourned until 10:00 a.m., Thursday, January 20, 2005.

HOUSE CALENDAR

NINTH DAY, THURSDAY, JANUARY 20, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 8

HOUSE BILLS FOR SECOND READING

HB 259 through HB 280

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

NINTH DAY, THURSDAY, JANUARY 20, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father David Buescher.

God of good government, today our Nation swears in our Chief Executive. We Missourians of whatever political persuasion pray to You to guide and direct him in Your ways during these next four years.

We pray for our Nation, that we as a people of diverse colors, religions, and cultural traditions may be safe and sound in all ways. We pray for our Governor and Senators, our Speaker, and all these our Representatives. Insight and truth are from You – may we all share an extra portion of that spirit this day and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighth day was approved as corrected by the following vote:

AYES: 152

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Corcoran
Cunningham 145	Curls	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson 47
Johnson 61	Johnson 90	Jolly	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock

Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Darrough

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Cooper 158	Cunningham 86	Dempsey	Jackson
Jones	Meadows	Schneider	Wagner	

VACANCIES: 001

SPECIAL RECOGNITION

Dr. Carl J. James, Dr. William H. Marchbanks, Dr. William Chadwick McCoy, Dr. Alphonse Peterson, Dr. Kwai L. Young and Dr. Theodore M. Ziske were recognized for their lifetime of dedication to the dental profession.

HOUSE RESOLUTION

Representative Shoemyer, et al., offered House Resolution No. 193.

HOUSE CONCURRENT RESOLUTION

Representative Zweifel, et al., offered House Concurrent Resolution No. 14.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 167	-	Representative Fraser
House Resolution No. 168	-	Representative Hughes
House Resolution No. 169	-	Representatives Guest and Lager
House Resolution No. 170	-	Representative Viebrock
House Resolution No. 171		
through		
House Resolution No. 177	-	Representative Cooper (158)
House Resolution No. 178	-	Representative Loehner
House Resolution No. 179	-	Representative Robinson
House Resolution No. 180	-	Representative Hobbs
House Resolution No. 181		
through		
House Resolution No. 190	-	Representative Lager
House Resolution No. 191	-	Representative Ervin
House Resolution No. 192	-	Representative Wright-Jones

House Resolution No. 194 - Representative Smith (14), et al.
House Resolution No. 195 - Representative Boykins
House Resolution No. 196 - Representative Witte
House Resolution No. 197 - Representative Henke
House Resolution No. 198 - Representative Jetton

SECOND READING OF HOUSE BILLS

HB 259 through **HB 280** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 9, introduced by Representatives Schoemehl, Jolly, Meadows, Vogt, Villa, Young, Wildberger, Lowe (44), Meiners, Roorda, Fraser, Harris (23), Yaeger and Walsh, relating to school district bond elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 281, introduced by Representative Pollock, relating to the public water systems.

HB 282, introduced by Representatives Whorton, Guest, Aull and Behnen, relating to inclement weather exceptions for mandatory days of school attendance.

HB 283, introduced by Representative Johnson (47), relating to the election of water supply districts.

HB 284, introduced by Representative Johnson (47), relating to collectors of revenue.

HB 285, introduced by Representatives Marsh, Wright (137), Roark, Dixon, Viebrock, Wasson, Walton, Parker, Villa, Denison, Bearden, Dempsey, Cunningham (145), Goodman, Ruestman, Hunter, Nieves, Lampe, Schlottach, Phillips, Dethrow, Richard, Stevenson, Emery, Wilson (130), Wood, Wilson (119), Jackson, Bivins, Schneider, Davis, Kingery, Moore, Kuessner, St. Onge, Young, Franz, Kelly, Sater, Schoemehl and Jetton, relating to Southwest Missouri State University.

HB 286, introduced by Representative Bland, relating to the emancipation day commission.

HB 287, introduced by Representatives Denison, Sater and Roorda, relating to surcharges.

HB 288, introduced by Representatives Fraser, Oxford, Page, Donnelly, Brown (50) and Schoemehl, relating to child safety restraints.

HB 289, introduced by Representatives Fraser, Oxford and Jolly, relating to corporal punishment.

HB 290, introduced by Representatives Fraser, Oxford, Page, Daus, Wildberger, Meiners, Chappelle-Nadal, Donnelly, Brown (50) and Schoemehl, relating to limitations on firearms possession for domestic violence offenses.

HB 291, introduced by Representatives Cooper (155), Wood, Sander, Weter, Threlkeld, Pollock, Kratky, Kuessner and Bean, relating to the state water patrol.

HB 292, introduced by Representative Byrd, relating to credit for franchise fees.

HB 293, introduced by Representatives Byrd and Storch, relating to museum subdistrict property tax rates.

HB 294, introduced by Representatives Walsh, Low (39), Johnson (61), Lowe (44), Meiners, Young, Spreng, Jolly, Vogt, Salva, Donnelly, George, Page, Harris (110), Hughes, Rucker, Meadows, Corcoran, Boykins, Hubbard, Chappelle-Nadal, Hoskins, Zweifel, Wildberger, Darrough and Whorton, relating to the safe staffing and quality care accountability acts.

HB 295, introduced by Representatives Jetton, Pearce, Tilley, Wells, Wright (159), Phillips, Wildberger, Bean, Hoskins, Meadows, Storch, Swinger, Moore, Sater, Yates, Meiners, Hobbs, Dusenberg, Sutherland, Richard, Black, Cunningham (86), Pratt, Nance, Baker (123), Shoemyer, Kraus and Kratky, relating to vision examinations for school children.

COMMITTEE ASSIGNMENTS

Administration and Accounts

Mark Wright	Chair
Gary Dusenberg	Vice Chair
Bob Behnen	
Shannon Cooper	
Mike Cunningham	
Ray Salva	
Wes Wagner	
Ed Wildberger	

Agriculture Policy

Peter Myers	Chair
Brian Munzlinger	Vice Chair
Joe Aull	
Frank Barnitz	
Rachel Bringer	
Kathy Chinn	
David Day	
Barney Fisher	
Jim Guest	
Belinda Harris	
Steve Hobbs	
Van Kelly	

Tom Loehner
Bob Nance
John Quinn
Martin Rucker
Therese Sander
Wes Shoemyer
Terry Swinger
Kevin Threlkeld
Jim Whorton
Terry Witte
Billy Pat Wright

Appropriations - Agriculture and Natural Resources

John Quinn	Chair
Mike Dethrow	Vice Chair
Rachel Bringer	
Kathy Chinn	
Barney Fisher	
Belinda Harris	
Wayne Henke	
J.C. Kuessner	
Tom Loehner	
Mike McGhee	
Brian Munzlinger	
Peter Myers	
Rodney Schad	
Jim Viebrock	
Jim Whorton	
Terry Witte	

Appropriations - Education

Kathlyn Fares	Chair
Maynard Wallace	Vice Chair
Joe Aull	
Brian Baker	
Judy Baker	
Walt Bivins	
Barbara Fraser	
Theodore Hoskins	
Allen Icet	
Gayle Kingery	
Sara Lampe	
T. Scott Muschany	
David Pearce	
Ed Robb	
Martin Rucker	
Scott Rupp	

Sue Schoemehl
Kevin Wilson

Appropriations - General Administration

Jim Lembke	Chair
Cynthia Davis	Vice Chair
Nathan Cooper	
Sally Faith	
Leonard Hughes	
Kenny Jones	
Albert Liese	
Scott Lipke	
Darrell Pollock	
Ray Salva	
Michael Spreng	
Juanita Walton	
Billy Pat Wright	

Appropriations - Health, Mental Health and Social Services

Jodi Stefanick	Chair
Otto Bean, Jr.	Vice Chair
Sharon Sanders Brooks	
Wayne Cooper	
Charlie Denison	
Margaret Donnelly	
Yaphett El-Amin	
Ward Franz	
Connie Johnson	
Beth Low	
Sam Page	
David Sater	
Tom Self	
Bryan Stevenson	
Mike Sutherland	
Raymond Weter	

Appropriations - Public Safety and Corrections

Danie Moore	Chair
Jim Avery	Vice Chair
Michael Brown	
Mark Bruns	
Rodney Hubbard	
Jack Jackson	
Tim Meadows	
Jerry Nolte	
Jeff Roorda	
Therese Sander	

Rob Schaaf
Steven Tilley
Ed Wildberger

Appropriations - Transportation and Economic Development

Lanie Black	Chair
Joe Smith	Vice Chair
Craig Bland	
Amber Boykins	
Mike Cunningham	
Doug Ervin	
Bob Nance	
Sherman Parker	
Mike Parson	
Brad Robinson	
Charlie Schlottach	
Rachel Storch	
Terry Swinger	
Jay Wasson	
Don Wells	
Dennis Wood	
Robin Wright-Jones	
Patricia Yaeger	

Budget

Brad Lager	Chair
Allen Icet	Vice Chair
Frank Barnitz	
Bob Behnen	
Lanie Black	
Amber Boykins	
Michael Brown	
Mike Dethrow	
Margaret Donnelly	
Kathlyn Fares	
Barbara Fraser	
Steve Hobbs	
Ted Hoskins	
Jim Lembke	
Paul LeVota	
Bob May	
Danie Moore	
Peter Myers	
John Quinn	
Ed Robb	
Wes Shoemyer	
Jodi Stefanick	

Bryan Stevenson
Rachel Storch
Mike Sutherland
Jim Whorton
Ed Wildberger
Brian Yates

Children and Families

Susan Phillips	Chair
Therese Sander	Vice Chair
Judy Baker	
Cynthia Davis	
Curt Dougherty	
Doug Ervin	
Ward Franz	
Mike McGhee	
Kate Meiners	
T. Scott Muschany	
Jeanette Oxford	

Conservation and Natural Resources

Steve Hobbs	Chair
Tom Self	Vice Chair
Jason Brown	
Bruce Darrough	
David Day	
Mike Dethrow	
Al Liese	
Jenee Lowe	
Bob May	
Raymond Weter	
Terry Witte	
Dennis Wood	
Terry Young	

Corrections and Public Institutions

Van Kelly	Chair
Larry Wilson	Vice Chair
Otto Bean, Jr.	
Ron Casey	
Jim Guest	
Belinda Harris	
Rodney Hubbard	
Kenny Jones	
John Quinn	
Rex Rector	
Brad Robinson	

Crime Prevention and Public Safety

Scott Lipke	Chair
Jason Brown	Vice Chair
Mark Bruns	
Gary Dusenberg	
Tim Flook	
Rick Johnson	
Cathy Jolly	
Kenny Jones	
Will Kraus	
Tim Meadows	
Jeff Roorda	

Elections

Bob May	Chair
Bill Deeken	Vice Chair
Brian Baker	
Nathan Cooper	
Cynthia Davis	
Margaret Donnelly	
Curt Dougherty	
David Sater	
Harold Selby	
Joe Smith	
Wes Wagner	

Elementary and Secondary Education

Jane Cunningham	Chair
Bob Behnen	Vice Chair
Joe Aull	
Sharon Sanders Brooks	
Michael Corcoran	
Gary Dusenberg	
Cathy Jolly	
Gayle Kingery	
Sara Lampe	
Jim Lembke	
Danie Moore	
T. Scott Muschany	
Ed Robb	
Rodney Schad	
Terry Swinger	
Maynard Wallace	

Ethics

Tom Dempsey	Chair
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Richard Byrd	Vice Chair
Melba Curls	
Bill Deeken	
Rick Johnson	
Jeanette Oxford	
Bryan Pratt	
Tom Villa	

Financial Institutions

Mike Cunningham	Chair
Brad Roark	Vice Chair
Jane Cunningham	
Leonard Hughes	
Steve Hunter	
Fred Kratky	
Will Kraus	
Al Liese	
Sherman Parker	
David Pearce	
Ron Richard	
Tom Self	
Michael Spreng	
Steven Tilley	
Michael Vogt	
Clint Zweifel	

Fiscal Review

Jim Guest	Chair
Bob Dixon	Vice Chair
John Bowman	
Rachel Bringer	
Sharon Sanders Brooks	
Yaphett El-Amin	
Brian Nieves	
Brad Roark	
Don Wells	

Health Care Policy

Wayne Cooper	Chair
Rob Schaaf	Vice Chair
John Bowman	
Doug Ervin	
Wayne Henke	
Sam Page	
Chuck Portwood	
David Sater	
Jodi Stefanick	

Harold Selby
Kevin Threlkeld

Higher Education

Gayle Kingery	Chair
Scott Rupp	Vice Chair
Carl Bearden	
Charlie Denison	
Sally Faith	
Tim Flook	
Esther Haywood	
Beth Low	
Sue Schoemehl	
Maynard Wallace	
Juanita Walton	

Insurance Policy

Brian Yates	Chair
Kevin Wilson	Vice Chair
Jim Avery	
Michael Daus	
Bob Dixon	
Sally Faith	
Esther Haywood	
Ted Hoskins	
Bob Nance	
Sam Page	
Brad Roark	
Scott Rupp	
Trent Skaggs	
Michael Spreng	
Jay Wasson	
Larry Wilson	

Job Creation and Economic Development

Ron Richard	Chair
David Pearce	Vice Chair
Frank Barnitz	
John Bowman	
Michael Brown	
Michael Corcoran	
Yaphett El-Amin	
Ed Emery	
Tim Flook	
Fred Kratky	
Bob May	
Mike McGhee	

Brian Nieves
Darrell Pollock
Jeff Roorda
Vicki Schneider
Raymond Weter
Dennis Wood

Judiciary

Richard Byrd	Chair
Bryan Pratt	Vice Chair
John Burnett	
Jack Goodman	
Connie Johnson	
Rick Johnson	
Scott Lipke	
Marilyn Ruestman	
Ray Salva	
Bryan Stevenson	
Steven Tilley	
Michael Vogt	
Brian Yates	

Local Government

Bob Johnson	Chair
Vicki Schneider	Vice Chair
Jason Brown	
Ron Casey	
Melba Curls	
Mike Daus	
Ed Emery	
Tom Loehner	
Jerry Nolte	
Susan Phillips	
Trent Skaggs	
Todd Smith	
Neal St. Onge	
Tom Villa	
Wes Wagner	

Professional Registration and Licensing

Bob Behnen	Chair
Jay Wasson	Vice Chair
Bob Dixon	
Curt Dougherty	
Fred Kratky	
Sam Page	
Chuck Portwood	

Marilyn Ruestman
Rob Schaaf
Sue Schoemehl
Wes Shoemyer
Jodi Stefanick
Mike Sutherland
Steven Tilley
Don Wells
Patricia Yaeger

Retirement

Todd Smith	Chair
Therese Sander	Vice Chair
Otto Bean, Jr.	
Ward Franz	
Tom George	
Esther Haywood	
Jeanette Oxford	
Chuck Portwood	
Scott Rupp	
Jim Viebrock	
Patricia Yaeger	

Rules

Shannon Cooper	Chair
Tom Dempsey	Vice Chair
John Burnett	
Richard Byrd	
Leonard Hughes	
Connie Johnson	
Bryan Pratt	
Ron Richard	

Senior Citizen Advocacy

Mark Bruns	Chair
Marilyn Ruestman	Vice Chair
Judy Baker	
Otto Bean, Jr.	
Maria Chappelle-Nadal	
Kate Meiners	
Mike Parson	
Martin Rucker	
Raymond Weter	
Kevin Wilson	
Mark Wright	

Small Business

Doug Ervin	Chair
Sherman Parker	Vice Chair
Brian Baker	
Craig Bland	
Maria Chappelle-Nadal	
Kathy Chinn	
Melba Curls	
Bruce Darrough	
Tim Flook	
Vicki Schneider	
Kevin Wilson	

Tourism

B.J. Marsh	Chair
Dennis Wood	Vice Chair
Wayne Cooper	
Charlie Denison	
Kathlyn Fares	
Bob Johnson	
J.C. Kuessner	
Beth Low	
Kate Meiners	
Jerry Nolte	
Darrell Pollock	
Harold Selby	
Tom Villa	

Transportation

Neal St. Onge	Chair
Charlie Schlottach	Vice Chair
Lanie Black	
Nathan Cooper	
Mike Daus	
Charlie Denison	
Wayne Henke	
J.C. Kuessner	
Tim Meadows	
Brian Munzlinger	
Mike Parson	
Rex Rector	
Joe Smith	
Kevin Threlkeld	
Robin Wright-Jones	
Terry Young	

Utilities

Rex Rector	Chair
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Ed Emery Vice Chair

Walt Bivins
Richard Byrd
Tom George
Will Kraus
Sara Lampe
Paul LeVota
Jenee Lowe
Peter Myers
Rodney Schad
Charlie Schlottach
Trent Skaggs
Jim Viebrock
Gina Walsh
Billy Pat Wright

Veterans

Jack Jackson Chair
Walt Bivins Vice Chair
Jason Brown
Mark Bruns
Ron Casey
David Day
Barney Fisher
Cathy Jolly
Joe Smith
Juanita Walton
Terry Young

Ways and Means

Mike Sutherland Chair
Bryan Stevenson Vice Chair
Craig Bland
Maria Chappelle-Nadal
Bruce Darrough
Barbara Fraser
Steve Hunter
Allen Icet
Jack Jackson
Darrell Pollock
Ed Robb
Todd Smith
Neal St. Onge
Rachel Storch
Larry Wilson
Clint Zweifel

Workforce Development and Workplace Safety

Steve Hunter	Chair
Mike Dethrow	Vice Chair
John Burnett	
Jane Cunningham	
Barney Fisher	
Tom George	
Jim Guest	
Jenee Lowe	
Susan Phillips	
Todd Smith	
Michael Vogt	
Gina Walsh	

COMMUNICATION

January 20, 2005

The Honorable Kenny Jones
Missouri House of Representatives
State Capitol – House Post Office
Jefferson City, MO 65101

Dear Representative Jones:

The Missouri Health Facilities Review Committee has a vacancy for a member of the House of Representatives. Pursuant to Section 197.310, RSMo, I hereby appoint you to the Missouri Health Facilities Review Committee.

Sincerely,

/s/ Rod Jetton
Speaker

WITHDRAWAL OF HOUSE BILL

January 19, 2005

Stephen Davis
Chief Clerk, Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Davis:

I would like to withdraw from consideration a bill I introduced, **HB 237**, regarding renaming Southwest Missouri State University. Thank you very much.

Sincerely,

/s/ Sara Lampe
District 138

ADJOURNMENT

On motion of Representative Goodman, the House adjourned until 4:00 p.m., Monday, January 24, 2005.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Eighth Day, Wednesday, January 19, 2005, Line 22, by deleting the name “Whorton” from said line.

COMMITTEE MEETING

HIGHER EDUCATION

Tuesday, January 25, 2005, 12:00 p.m. Hearing Room 4.
Organizational and informational meeting.

HOUSE CALENDAR

TENTH DAY, MONDAY, JANUARY 24, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 9

HOUSE BILLS FOR SECOND READING

HB 281 through HB 295

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TENTH DAY, MONDAY, JANUARY 24, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You are a stronghold for the oppressed, a stronghold in times of trouble. Therefore, we begin by giving thanks to You for Your marvelous works and abundant kindness shown towards us.

We recognize that we are but mere men and women, called specifically to the tasks at hand, but in great need of Your wisdom and revelation.

May we not be caught in schemes, which we have devised, which seem good on the surface, but only serves to gratify the flesh.

May our words and actions this week be pleasing in Your sight. May the work of our hand prosper in what is right and necessary for the days ahead.

Now unto You, who is able to keep us from stumbling; we give thanks, and it's in the strength and power of Your Son's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as corrected by the following vote:

AYES: 156

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves

Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES:001

Daus

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Hughes	Johnson 90	Schneider
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 199 - Representative Bringer
House Resolution No. 200
and
House Resolution No. 201 - Representative Dethrow
House Resolution No. 202
and
House Resolution No. 203 - Representative Moore
House Resolution No. 204 - Representative Dethrow
House Resolution No. 205 - Representative Selby
House Resolution No. 206 - Representative Wilson (119)
House Resolution No. 207 - Representative Swinger
House Resolution No. 208 - Representative Weter
House Resolution No. 209 - Representative Burnett
House Resolution No. 210 - Representative Lampe
House Resolution No. 211 - Representative Barnitz

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 9 was read the second time.

SECOND READING OF HOUSE BILLS

HB 281 through **HB 295** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 296, introduced by Representatives Whorton, Wildberger, Salva, Darrough and Dougherty, relating to all-terrain vehicles.

HB 297, introduced by Representative Pearce, relating to school accountability report cards.

HB 298, introduced by Representatives Wildberger, Selby, Sater, Dougherty, Roorda, Darrough, Meiners, Whorton, Harris (110) and George, relating to the telemarketing no-call list.

HB 299, introduced by Representatives Wildberger, Sater, Baker (25), Whorton, Roorda, Harris (110), George and Darrough, relating to workers' compensation.

HB 300, introduced by Representatives Wildberger, Salva and George, relating to dispensing of drugs.

HB 301, introduced by Representatives Wildberger, Roorda, Darrough and George, relating to fire protection districts.

HB 302, introduced by Representative Dougherty, relating to jury service.

HB 303, introduced by Representatives Hobbs, Myers, Guest, Bean, Kelly, Chinn, Moore, Sander, Munzlinger, Black, Quinn, Day, Wright (159), Schlottach, Fisher, Bruns, Denison, Loehner, Dethrow, Whorton, Brown (30), Weter, Kingery and Behnen, relating to linked deposit loans for agricultural purposes.

HB 304, introduced by Representative Cooper (158), relating to energy efficiency.

HB 305, introduced by Representatives Chinn, Sater, Robb, Day, Denison, Nance, Weter, Moore, Munzlinger, Quinn, Sander, Smith (14), Black and Bruns, relating to purchase of biodiesel fuel by school districts.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 2**.

With Senate Amendment No. 1.

Senate Amendment No. 1

Amend House Concurrent Resolution No. 2, appearing on Page 26 of the Senate Journal for Wednesday, January 5, 2005, Column 1, Lines 45-46, by striking the words "10:30 a.m." and inserting in lieu thereof the following: "**6:45 p.m.**".

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

Stephen Davis
Chief Clerk
Missouri House of Representatives
Room 306-C, State Capitol
Jefferson City, MO 65101

Dear Clerk Davis:

I respectfully request that **House Bill 240** which I sponsored be withdrawn.

Sincerely,

/s/ Beth Low
District 39

The following member's presence was noted: Hughes.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, January 25, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Eighth Day, Wednesday, January 19, 2005, Page 119, Line 22, by deleting the name "Whorton" from said line.

Correct House Journal, Ninth Day, Thursday, January 20, 2005, Page 123, Line 6, by inserting after said line, the following:

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 8 was read the second time.

Page 124, Line 24, by inserting immediately after said line the following: "Cynthia Davis"

Page 130, Line 7, by deleting the words "Vice Chair" from said line.

COMMITTEE MEETINGS

ETHICS

Tuesday, January 25, 2005, 6:00 p.m. Hearing Room 1.
Ethics Committee Rules of Procedures.

HIGHER EDUCATION

Tuesday, January 25, 2005, 12:00 p.m. Hearing Room 4.
Organizational and informational meeting.

RETIREMENT

Wednesday, January 26, 2005, 9:00 a.m. Hearing Room 1.
Organizational meeting.

VETERANS

Tuesday, January 25, 2005, 5:00 p.m. Senate Lounge.
Joint meeting. House Veterans Committee and Senate Veterans Affairs and General Laws Committee.

HOUSE CALENDAR

ELEVENTH DAY, TUESDAY, JANUARY 25, 2005

HOUSE BILLS FOR SECOND READING

HB 296 through HB 305

HOUSE BILL WITH SENATE AMENDMENT

HCR 2, SA 1 - Dempsey

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 25, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father David Buescher.

God of progress and Lord of growth, in the discussions and even the arguments that are possible here in this House, remind our representatives that their laws make an impact on all the people of Missouri.

If some may be enticed to contest or compare or show jealousy, help them reorganize their attention towards a balance found in truly first-rate legislation.

We know not only party loyalty, but also devotion to the truth and to the common good also moves their hearts. The improvement their legislation will bring to our state will derive much from sharp brains, broad minds, big hearts, and the bold confidence to stand for what each understands as true.

Help them towards that rightness which does not claim righteousness. We ask for Your inner light and energy and peace, this day, and throughout the Session. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joe Paine, Denny Niebaum and Kevin Hornbeck.

The Journal of the tenth day was approved as printed.

Speaker Pro Tem Bearden assumed the Chair.

HOUSE RESOLUTION

Representative Dixon, et al., offered House Resolution No. 222.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 212	-	Representative Bruns
House Resolution No. 213	-	Representative Cooper (158)
House Resolution No. 214	-	Representatives Avery and Bivins
House Resolution No. 215	-	Representative Hoskins
House Resolution No. 216	-	Representative Fraser

House Resolution No. 217

through

House Resolution No. 221 - Representative Avery

House Resolution No. 223 - Representative Richard

House Resolution No. 224

through

House Resolution No. 232 - Representative Lager

House Resolution No. 233 - Representative Day

House Resolution No. 234 - Representative Yaeger, et al.

House Resolution No. 235

through

House Resolution No. 239 - Representative Lager

SECOND READING OF HOUSE BILLS

HB 296 through **HB 305** were read the second time.

HOUSE BILL WITH SENATE AMENDMENT

HCR 2, with Senate Amendment No. 1, relating to the State of the State address, was taken up by Representative Dempsey.

On motion of Representative Dempsey, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 152

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	St. Onge

Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 005

Darrough	Daus	Skaggs	Vogt	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Cooper 120	Schneider	Stevenson
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VACANCIES: 001

On motion of Representative Dempsey, **HCR 2, as amended**, was adopted by the following vote:

AYES: 152

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones

Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 005

Darrough	Daus	Skaggs	Vogt	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Cooper 120	Schneider	Stevenson
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VACANCIES: 001

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 10, introduced by Representative Wright (137), relating to the judicial department.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 306, introduced by Representative Dempsey, relating to aviation.

HB 307, introduced by Representatives Dusenberg, Baker (123), Wood, Brown (30), Sater, Munzlinger, Behnen, Wilson (119), Johnson (47), McGhee, Moore, Dougherty, Young and Page, relating to wearing protective headgear while operating a motorcycle or motortricycle.

HB 308, introduced by Representatives Skaggs, Baker (123), Brown (30), Bringer and Phillips, relating to state buildings.

HB 309, introduced by Representatives Wilson (130), Ruestman, Brown (30), Munzlinger and Wilson (119), relating to terrorism.

HB 310, introduced by Representatives Wilson (130), Brown (30), Daus and Weter, relating to impounding vehicles.

HB 311, introduced by Representatives May, Wildberger, Sater, Baker, Schaaf and Portwood, relating to the registered surgical assistant and registered surgical technologist title protection act.

HB 312, introduced by Representatives Smith (118), Sander and Schaaf, relating to state purchases.

HB 313, introduced by Representatives Smith (14), Smith (118), Page, Sutherland, Jetton, Yates, Byrd, Faith, Ruestman, Hughes, Icet, Portwood, Rupp, Davis, Parker and Moore, relating to a tutoring program for public schools.

HB 314, introduced by Representative Kelly, relating to sexual contact with a student while on public school property.

HB 315, introduced by Representative Kelly, relating to compensation of road district commissioners.

HB 316, introduced by Representatives Hoskins, Hubbard, Bland and Sanders Brooks, relating to absentee voting.

HB 317, introduced by Representatives Shoemyer, Wildberger, Whorton, Darrough, Selby, Harris (110), Dougherty, Fraser, Aull, Kuessner, Baker (25), Spreng, Robinson and Henke, relating to the seed availability and competition act.

HB 318, introduced by Representatives Schaaf, Hubbard, Oxford and Hoskins, relating to prevention, screening, and treatment of lead poisoning.

HB 319, introduced by Representatives Muschany and Cunningham (86), relating to school credit.

HB 320, introduced by Representatives Muschany, Cunningham (86) and Moore, relating to lapse of district corporate organization.

HB 321, introduced by Representative Yates, relating to the advisory assistive technology council.

HB 322, introduced by Representatives Oxford, Roorda, Page, Chappelle-Nadal, Young, Daus and Harris (110), relating to actions for money damages for conduct or speech at public hearings or meetings.

HB 323, introduced by Representative Johnson (47), relating to Kansas City police retirement.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 8 - Conservation and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 40 - Local Government

HB 43 - Transportation

HB 47 - Local Government

HB 48 - Ways and Means

HB 62 - Transportation

HB 63 - Ways and Means

HB 69 - Insurance Policy

HB 85 - Judiciary
HB 94 - Veterans
HB 119 - Veterans
HB 131 - Health Care Policy
HB 136 - Elementary and Secondary Education
HB 148 - Workforce Development and Workplace Safety
HB 154 - Transportation
HB 162 - Veterans
HB 163 - Veterans
HB 171 - Ways and Means
HB 172 - Elementary and Secondary Education
HB 186 - Ways and Means
HB 190 - Small Business
HB 191 - Agriculture Policy
HB 210 - Transportation
HB 213 - Veterans
HB 216 - Veterans
HB 217 - Health Care Policy
HB 220 - Higher Education
HB 229 - Senior Citizen Advocacy
HB 236 - Corrections and Public Institutions
HB 243 - Transportation
HB 248 - Financial Institutions
HB 259 - Elections
HB 272 - Crime Prevention and Public Safety
HB 276 - Elementary and Secondary Education
HB 281 - Conservation and Natural Resources
HB 283 - Local Government
HB 295 - Children and Families
HB 297 - Elementary and Secondary Education
HB 302 - Judiciary

COMMITTEE ASSIGNMENT

Representative Curls has been appointed Vice-chair of the Ethics Committee.

RECESS

Representative Dempsey moved that the House stand in recess for the purpose of receiving messages from the Senate.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 176**, entitled:

An act to repeal 57.080, RSMo, and to enact in lieu thereof two new sections relating to political subdivision elections, with an emergency clause and an expiration date.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 2**: Senators Gibbons, Shields, Coleman, Crowell, Clemens, Nodler, Days, Callahan, Wheeler and Kennedy.

The following members' presence was noted: Boykins, Cooper (120) and Schneider.

ADJOURNMENT

On motion of Speaker Pro Tem Bearden, the House adjourned until 10:00 a.m., Wednesday, January 26, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 5.
Department overviews will begin promptly at 8:00 a.m.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 26, 2005, 8:00 a.m. Hearing Room 3.
Organizational meeting.

LOCAL GOVERNMENT

Thursday, January 27, 2005, 8:00 a.m. Hearing Room 6.
Organizational meeting.
Public hearings to be held on: HB 47, HB 40

RETIREMENT

Wednesday, January 26, 2005, 9:00 a.m. Hearing Room 6.
Organizational meeting. AMENDED

UTILITIES

Wednesday, January 26, 2005, 12:00 p.m. Hearing Room 6.
Organizational meeting. AMENDED

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 26, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 10

HOUSE BILLS FOR SECOND READING

HB 306 through HB 323

SENATE BILL FOR SECOND READING

SB 176

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWELFTH DAY, WEDNESDAY, JANUARY 26, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, the heavens declare Your glory, their vastness declare the work of Your hand.

As each day begins and ends, our hope is for the betterment of this state and its inhabitants. We humbly ask Your help in this.

Grant us discipline and wisdom to make decisions free from the love of money, pride, and self-centeredness. May we be good stewards of the manifold blessings You have bestowed upon us.

O Lord, consider our weaknesses, as we seek solutions to financial shortfalls and the major issues that confront us. Grant us strength of purpose, clarity of vision, and commitment to united efforts to get the job done.

May Your grace and peace rest and abide with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelsey Karr, Mark Vogt, Paul Vogt, Laura Prather, Rachel Prather, Joshua Prather, Samuel Prather, Caleb Prather, Nathaniel Prather and Naomi Prather.

The Journal of the eleventh day was approved as printed.

HOUSE CONCURRENT RESOLUTION

Representative Baker (123) offered House Concurrent Resolution No. 15.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 240	-	Representative Jetton
House Resolution No. 242	-	Representative Johnson (61)
House Resolution No. 243	-	Representative Goodman
House Resolution No. 244	-	Representative Walsh
House Resolution No. 245	-	Representative Lager

House Resolution No. 246
and
House Resolution No. 247 - Representative Hobbs
House Resolution No. 248
through
House Resolution No. 260 - Representative Pratt
House Resolution No. 261 - Representative Skaggs
House Resolution No. 262 - Representative Loehner
House Resolution No. 263 - Representative Self
House Resolution No. 264 - Representative Sutherland
House Resolution No. 265 - Representative Wilson (119)
House Resolution No. 266 - Representative Cooper (155)
House Resolution No. 267 - Representative Fisher
House Resolution No. 268
through
House Resolution No. 272 - Representative Lager
House Resolution No. 273 - Representative Munzlinger

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 10 was read the second time.

SECOND READING OF HOUSE BILLS

HB 306 through **HB 323** were read the second time.

SECOND READING OF SENATE BILL

SB 176 was read the second time.

MOTION

Representative Dempsey moved that Rule 113 be suspended.

Which motion was adopted by the following vote:

AYES: 154

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke

Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 004

Daus	Skaggs	Vogt	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	George	Quinn	Stevenson
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VACANCIES: 001

ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Peter Kinder and members of the Senate to the dais: Representatives Cooper (155), Davis, Day, Deeken, May, St. Onge, Casey, George, Kuessner and Selby.

The Speaker appointed the following committee to escort His Excellency Governor Matt Blunt to the dais: Representatives Phillips, Black, Myers, Wright (137), Denison, Sutherland, Boykins, Fraser, Lampe and Wagner.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed Senator Wilson to replace Senator Wheeler, pursuant to **HCR 2**.

RECESS

On motion of Representative Dempsey, the House recessed until 6:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Jetton.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Central High School Color Guard of St. Joseph, Missouri, presented the Colors and the Pledge of Allegiance to the flag was recited.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 031

Bartle	Bray	Callahan	Cauthorn	Champion
Clemens	Coleman	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Graham	Green
Griesheimer	Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason	Ridgeway
Scott	Shields	Stouffer	Taylor	Vogel
Wilson				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Wheeler

VACANCIES: 002

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips

Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Dixon	Stevenson	Vogt	Whorton
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VACANCIES: 001

The Sergeant-at-Arms announced the approach of the Honorable Matt Blunt, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

STATE OF THE STATE ADDRESS BY GOVERNOR MATT BLUNT

Lieutenant Governor Kinder, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Judges of the Supreme Court, members of the General Assembly, Reverend Clergy, fellow Missourians:

I come before you this evening to share my vision for leading Missouri in a new direction. I am grateful for the opportunity to work with you to create a state government that respects the people and responds to their needs. It is my duty to recommend to you a budget for Fiscal Year 2006.

The past several years have been difficult for our state. Missouri's job loss crisis has hurt families in every region, reduced state revenue, and increased the demand on already strained social programs.

Missouri students and schools were caught in a political crossfire between the executive and legislative branches of government. Paralysis in the state Capitol caused local school boards to cut their budgets because they did not know how much money the state would provide.

State government's failure to reform the courts drove cherished family doctors and medical specialists from Missouri or out of practice altogether. Our current court system is unfair to doctors, but more importantly it harms every Missourian who struggles to find affordable medical care.

In spite of advances in technology and changes in the economy, state government still operates on an obsolete 1970s model. We have a typewriter government in an Internet age. Few efficient businesses and organizations are structured today the way they were 30 years ago. Missouri taxpayers are not getting full value for their hard-earned tax dollars.

My administration will focus on reversing this course and making Missouri a national leader and a model for other states.

First, so that all Missouri children can reach their full potential, we must make education our highest public policy and budget priority. Second, to spur economic growth, we must help Missouri's entrepreneurs and employers create and retain good, family-supporting jobs. Third, to enhance the quality of life, we must improve access to, and the affordability of, quality health care. Finally, to give taxpayers proper value for their hard-earned tax dollars we will build a modern and efficient state government.

That is why I already signed an Executive Order prohibiting the purchase of additional cell phones, non-emergency vehicles and office space. We have closed an unnecessary Washington, D.C. lobbying office.

It is also why I have asked Stephen Bradford and Warren Erdman to lead a commission designed to reevaluate the structure of our state government. Missourians are ready for these changes and more. I invite all of you, regardless of party, to join with me in providing a government worthy of the people of this great state.

Public education is an investment in our future. If it is to be our top public policy priority, then it must also be our highest budget priority. That is why my budget provides 170.6 million dollars in new funding for our public schools.

This is a 4.7% increase over last year. Tonight, I reaffirm my commitment that dollars approved for our classrooms will never be withheld under any circumstances whatsoever.

We must make this commitment to our school children in spite of anemic growth in the general revenue budget.

We must also make this commitment without any new job-killing taxes.

The budget that I submit to you tonight is based on the revenue that we will receive. This budget is not built upon tax increases. I do not, and will not, support increasing the tax burden on Missouri families. This means that we must make responsible and often difficult decisions in the rest of the budget.

My budget calls for significant reductions in spending for some state agencies and programs. It demands that state government live within the people's means, with no new job-destroying taxes that harm working families and diminish future economic opportunities.

We must meet our obligation to those who are truly in need of public assistance, but the current Medicaid program has grown far beyond the taxpayers' ability to pay. Rising health care costs and program expansions by previous administrations more than doubled expenditures in just six years. Without reform, Missouri will spend a larger percentage of our total budget on Medicaid than all but one other state. Without aggressive action we cannot properly fund education, or any of our other public policy priorities. With this in mind, I am proposing that we reform our state's Medicaid program. The program and eligibility changes included in this budget were not easily reached decisions, but we have put off the tough decisions for too long. Now is the time for decisive action. Missourians can no longer afford the second most expensive Medicaid program in the United States.

The reformed Medicaid Program will still spend over 5.3 billion dollars. That is 26% of our total state budget. Even after restructuring, we will still dedicate a larger share of our budget to Medicaid than all but 14 states. In other words, 35 other states will spend a smaller percentage of their budget on Medicaid even after we make these much needed changes. Working together, we must create a sustainable Medicaid program that is capable of providing medical care to those who truly need assistance.

There are well documented instances of individuals defrauding the Medicaid system and costing taxpayers millions of dollars each year. I am committed to stopping this theft of taxpayer dollars and I ask you to pass legislation requiring the Department of Social Services to conduct annual eligibility reviews of every Medicaid recipient. This and other anti-fraud measures could allow us to reclaim 75 million dollars in lost revenue for Missourians who truly need public assistance.

The Medicaid eligibility and program changes outlined in this budget will save 626 million dollars in state and federal revenue.

My budget protects all children and expectant mothers covered by Medicaid. Both of these initiatives are responsible uses of taxpayer dollars. Since 1998, the State Children's Health Insurance Program has extended health care coverage to more than 87,000 young Missourians. The CHIP's program is a proactive investment in the future of Missouri's children.

Over the past several years, the state's child welfare system has failed to adequately address the needs of children in its care. Child abuse and neglect offend the basic values of our state. We have a responsibility to provide safe settings for at-risk children and facilitate permanent placement for children who cannot return home. I propose that the state commit 9.5 million dollars to strengthen subsidized adoption and guardianship programs that find permanent homes for children in foster care. I also propose that we commit 7 million dollars to fund a rate increase for providers of residential treatment services for abused and neglected children.

I believe in the sanctity of life and in protecting unborn children. I support improved conscience protections for health-related professionals. I also support funding alternatives to abortion programs. And this year, I ask the Missouri General Assembly to pass legislation that prohibits the transporting of a minor across state lines for the purpose of obtaining an abortion without parental consent.

The Parents as Teachers program helps prevent child abuse, reduces the number of children in special education programs and ensures that young Missourians are better prepared to learn and advance to the next grade when they start school. This initiative has strengthened the essential bond between parents and their children in thousands of Missouri families. My budget also includes a 5 million dollar increase in the Parents as Teachers program.

The A+ Schools Program encourages high school students to stay in school, make career plans and graduate with the skills and knowledge required for career success. This program provides two years of community college education for students who meet specific requirements. I believe in the A+ program and my budget includes a 4 million dollar increase for this initiative.

Missouri ranks last in combating youth smoking. Most adult smokers start as teens. Missouri has not spent a single penny that we have received from the tobacco settlement to help young people kick the habit or prevent others from starting. This is wrong and my budget sets aside \$875,000 as a first step to reduce smoking by our young people.

To provide relief and assistance to Missouri seniors, I have allocated funds to continue Missouri's Senior Rx program. This will give us time to analyze recently published federal rules for the Medicare prescription drug benefit. We must determine if, and then perhaps how, the state can complement the new federal prescription drug benefit.

In addition, to provide better in-home service care for seniors in their homes, I have included a \$2 per hour wage increase for home health care providers.

Under my budget, Missourians with developmental disabilities would enjoy a higher quality of life in a less restrictive environment, instead of in a state-operated institution. I support plans to expand private-sector community placements through closure of the state-operated Bellefontaine Habilitation Center. These actions will save the state 13.8 million dollars and benefit Missourians with developmental disabilities.

This budget also calls for a reduction of over 1,000 of our state's 60,000 full-time government positions. These positions are spread all across our state, but to balance the budget, additional reductions beyond those that I have specifically identified are necessary. Such reductions must be achieved through better management without harming vital state programs. I am committed to rooting out wasteful spending and I have tasked my department directors with developing budget strategies for Fiscal Year 2006. My budget is based upon a 20% reduction in discretionary spending. Reductions in Fiscal Year 2006 will be part of a smaller core budget in the following years. This action is necessary if we are to increase funding for our public schools and hold the line on taxes.

Missouri is blessed with dedicated public servants. Together we will be tested as we work to reduce costs and deliver better service. Missourians want fair pay for their employees. We should not wait until an election year to do

the right thing and I propose a 1% pay increase for all of Missouri's state employees. This does not apply to elected officials.

No new taxes are proposed in my budget. Missouri families pay enough in taxes. They want their state government to live within its means and to make difficult choices, just as they do, when times are tight.

Legislative Priorities

Now, I am pleased to present my legislative initiatives for better schools, a stronger economy, better health care and other important needs.

My number one legislative priority is public education. Few among us tonight in the State Capitol or at home believe the current school funding formula is acceptable. It fails to distribute public funds fairly and has created a system of have's and have not's.

Prior to being sworn into office, I invited teachers, administrators and legislative leaders from both sides of the aisle to an education summit. I said then, and I believe today, that working in a cooperative spirit we can craft a new school funding formula this legislative session that positively affects the lives of young Missourians.

I would like to introduce you to two Missouri students, Caroline Greenberg and Josh Wimpey. Both go to a public school. They are both loved by their families. They are equal in the eyes of God. They should be equal in the eyes of the state. However, one of their school districts spends \$13,376 per year per child and the other one spends \$5,175. That is neither right nor fair.

It is our responsibility as elected officials to fix this problem. Missourians expect and deserve no less.

We are all striving to find a formula that meets the needs of Caroline, Josh and all of our children. The consensus we reach should be based on principles that will offer fundamental change. First, we should allow some school districts to opt out of the formula. In exchange for no state assistance they will free themselves from most state regulations. This will free up resources for our neediest schools. Second, we should distribute gambling and lottery revenue to school districts on a per pupil allocation. This will allow locally elected school boards to determine how to spend these dollars. Third, we should give school districts a new local option to use either the sales or income tax instead of the property tax. Finally, we must ensure that the special education needs of Missouri students are carefully considered. Again, education is my number one priority and a new formula must be crafted to ensure every Missouri child receives a world-class education.

A college education is increasingly a requirement for success in the workplace. Therefore, my budget maintains the current level of funding for our state's colleges and universities.

To help families with children who wish to continue their education beyond high school, I look forward to working with Treasurer Steelman to expand Missouri's 529 plan, commonly referred to as MOST. The MOST fund's overall performance is of great concern to parents investing in the program. Currently, this program is operated by one fund manager and investors have few choices. I believe that Missouri should offer parents other options and that adding this element of competition will improve the fund's overall results.

To create greater opportunity for all Missourians we must improve our entrepreneurial climate.

High workers' compensation insurance premiums are costing Missouri jobs. In 2003, premiums increased by 13.8%. These premiums detract from an employers' ability to reinvest and grow his or her business and to hire new workers. Some Missouri companies have discovered that they can realize significant workers' compensation savings by moving to a neighboring state. The same problems plague even our public schools. In 2001, the Springfield Public School District spent \$451,000 on workers' compensation insurance. In 2004, the District spent 1.4 million dollars - a nearly one million dollar increase. These are funds that District could have used to hire 24 additional teachers. Our workers' compensation system must ensure that every injured worker is fully and adequately compensated for work related injuries. But, we cannot afford a system that places us at a competitive disadvantage with other states. Missouri cannot effectively compete with other states for good, family-supporting jobs unless we address this problem.

We need to examine our regulation of telecommunications companies to take into account the changes in technology and realities of the market. The telecommunications industry is critical to the continued expansion of Missouri's economy. Telecommunications technology is changing rapidly and the marketplace is fast outpacing regulation. While making these changes, we must ensure that competitors are treated equally, that investment in infrastructure is encouraged and that consumers receive the benefits of competition.

Assisting our citizens in their efforts to preserve and improve their health is a critical mission of government. In recent years, our state has not given our family caregivers the protection they deserve from out of control medical malpractice insurance costs. This crisis hits every region of our state.

Now, I would like you to join me in welcoming Dr. Anthony Heit who is an OB-GYN. Because of the rising costs of medical malpractice insurance, he was forced to relocate his 13-physician practice to Kansas. What has happened to Dr. Heit, his partners and most importantly his patients has happened all across our state. Rural communities and entire counties lack doctors who will deliver babies. In our largest cities, hospitals and trauma centers have closed due to the loss of skilled specialists. The current litigation climate has created a healthcare crisis, and we must implement real reform now. Thank you for being here tonight Dr. Heit. I look forward to working with this legislature to make the much needed changes that will allow you, and other medical professionals, to return to our great state.

A comprehensive litigation reform bill should include limits on punitive and non-economic damages, strict venue restrictions and increased sanctions against unscrupulous attorneys who file frivolous lawsuits. I support a non-economic damage cap of \$250,000. This reasonable cap has been a part of the solution in other states that have effectively addressed this problem. This bill should also eliminate joint and several liability, a rule that runs counter to fairness and common sense. Under the current system, a party can be forced to pay 100% of a settlement even if they are only 1% liable. I encourage you to pass a comparative fault rule that makes each defendant liable only for that portion of the damages for which they are directly responsible.

The same litigation reform that will improve health care will also help Missouri's small businesses create jobs and economic opportunity.

Strong economic growth also requires a safe and modern transportation system. Keep in mind as you consider possible changes to Missouri's transportation governance that MoDOT is a total transportation agency. I propose adding two members to the Transportation Commission—one representing air and mass transit and one representing freight and river transit. This change would create a total transportation emphasis within the Commission. Let me also assure you that my administration will keep faith with Missouri voters and fully implement Amendment 3. We will ensure that every tax dollar collected for transportation will be used to improve Missouri's transportation infrastructure.

Agriculture is the foundation of Missouri's economy. It is no accident that we are the best fed and best clothed nation in the world. It is because of the hard work and dedication of farmers all across the country and particularly right here in Missouri. Missouri farm families will benefit from many of the initiatives we are discussing tonight.

I support full funding for the bio-diesel and ethanol incentive funds, which will help position Missouri as a national leader in the fast-growing renewable fuels industry. This action will create new jobs in rural Missouri and lead to improved air quality for every Missourian.

Tonight, I assure communities all across our state that my administration will fully implement the Missouri Rural Economic Stimulus Act, which allows rural communities and counties to knock down barriers and create cutting edge agricultural opportunities.

Protecting Missouri families from violent criminals and ensuring that law enforcement officials have the support they need are two of the most important responsibilities of any Governor and General Assembly.

Missouri leads the nation in the production of methamphetamine. In 2003, Missouri had more than twice as many meth incidents as any other state. Too many of our fellow citizens have suffered its ravages. Too many law enforcement officers have been killed or injured in the line of duty trying to fight this deadly epidemic.

I encourage you to pass legislation similar to a law in Oklahoma that has led to an 80% reduction in meth-related incidents. It would require that certain methamphetamine ingredients be purchased only through pharmacies and that customers' names be recorded. Such legislation will help stop methamphetamine producers. The production of methamphetamine is an environmental hazard. It creates dangers for Missouri law enforcement. That is why we must extend Heart and Lung protection to Missouri's law enforcement officers similar to that which has been provided to Missouri's firefighters.

I am honored that one of St. Louis' finest has joined us here this evening. Sgt. John McLaughlin is one of Missouri's law enforcement heroes who keep our families safe. Sgt. McLaughlin, a 13-year veteran of the force, has been directly involved in working with neighborhoods in St. Louis besieged and threatened by crime for the past four years. He is helping to form a bond with residents and ensure that police and communities work together to stamp out the dangers that force people from neighborhoods - whether it be crimes against property or the constant presence of drug dealers. This kind of personal approach creates a partnership between law enforcement and the people they are bound to protect, and makes our streets safer for everyone. Thank you for being here tonight Sgt. McLaughlin and for your service to the people of St. Louis.

Patriotism is reflected in the faces of so many Missourians. Please join me in thanking those 562,000 brave Missouri veterans and their families for their service to America. As Governor, I will never forget the sacrifices of our veterans and we will work hard to meet the needs of veterans' homes, cemeteries and veteran service programs.

We also want to recognize the current sacrifice and commitment of Missouri's citizen soldiers and their families. Missourians stand in defense of freedom around the globe. Two of Missouri's heroes are here with us tonight. Please join me in thanking Lt. Colonel A.J. Probst and Sgt. Cindy Smart. Lt. Colonel Probst was part of the team that helped liberate Afghanistan and create an independent army to defend its war-torn borders. Lt. Colonel Probst was also able to watch as the first female ran for President of Afghanistan, a country that only a few years ago would not allow a woman to speak without the approval of her husband. Thank you Lt. Colonel Probst.

Even as daily mortar attacks struck her base camp in Tikrit, not far from where Saddam Hussein was flushed from his hole in the ground, Sgt. Cindy Smart of the 235th Engineer Detachment supported our fighting troops. Thank you for being here tonight Sgt. Smart and for your steadfast service to our country.

We must continue to be mindful of the sacrifices being made by Missouri's guard and reserve members and their families. Let us never forget and honor always the ultimate sacrifices of the 29 Missourians who have given their lives in defense of our freedoms since March of 2003.

As we all know, there are many challenges before us, but where there are challenges there are also opportunities. The decisions reflected in my budget are not the easy decisions, but they are the right ones for our state. I will not lead you down a path of denial. We can no longer hide from our problems. My duty is to lead our state towards our full potential. I will not shirk this responsibility. I ask all of you to rise above partisanship and join in this great effort. Working together, we can provide every Missouri child with a world class education, improve access to affordable health care, provide a climate that helps entrepreneurs create good, family-supporting jobs, reevaluate and retool the structure of our government and hold the line on job-killing taxes.

The people expect us to work together, as partners, to bring positive change to Missouri. As Thomas Jefferson reminds us, not every difference of opinion is a difference of principle. I invite each of you to join with me in a partnership for progress that will benefit all the people of Missouri.

Thank you for allowing me to address you this evening. May God continue to bless each one of you and may God bless the Great State of Missouri.

The Joint Session was dissolved by Senator Shields.

Speaker Jetton resumed the Chair.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 176 - Elections

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 11, introduced by Representatives Lembke, Cooper (158), Bean, Bivins, Roark, Emery, Denison, Threlkeld, Wright (159), Icet, Myers, Brown (30) and Cunningham (86), relating to the judicial department.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 324, introduced by Representatives Parson and Wilson (119), relating to trespass on school property.

HB 325, introduced by Representatives Jolly, Roorda, Bringer, Harris (23), Kuessner, Zweifel, Schoemehl, Curls, Harris (110), Page and Darrough, relating to the crime of driving while intoxicated.

HB 326, introduced by Representatives Hobbs, Yates, Byrd, Witte, Day, Richard, Myers, Meadows, Harris (110), Lampe, Baker (25), Munzlinger, Ervin, Darrough, Wells, Sutherland and Wilson (130), relating to state purchasing and printing.

HB 327, introduced by Representatives Smith (118), Sander, Sater, Hobbs, Sutherland and Deeken, relating to state employee deferred compensation.

HB 328, introduced by Representatives Baker (123), Wilson (130), Ervin, Nance, Fisher, Bivins, Brown (30), Stevenson, Sander, Moore, Pollock, Kingery, Robb and Day, relating to discrimination policies.

HB 329, introduced by Representatives Baker (123), Dusenberg, Dougherty, Sater, Sutherland, Bivins and Brown (30), relating to compulsory school attendance.

HB 330, introduced by Representatives Baker (123), Ervin, Dethrow, Dusenberg, Nance, Fisher, Sater, Sutherland, Davis, Bivins, Brown (30), Day, Cooper (158), Stevenson, Sander, Goodman, Pollock and Kingery, relating to public funds.

HB 331, introduced by Representatives Baker (123), Ervin, Nance, Fisher, Brown (30), Stevenson, Sander, Kingery and Robb, relating to intoxicating liquor.

HB 332, introduced by Representatives Baker (123), Ervin, Dusenberg, Nance, Fisher, Brown (30), Stevenson, Sander, Pollock, Kingery and Robb, relating to possession or control of a controlled substance.

HB 333, introduced by Representatives Smith (118), Rupp, Portwood, Yaeger, Sander, Oxford, Sater, Hobbs and Deeken, relating to public retirement systems.

HB 334, introduced by Representatives Smith (118), Franz and Deeken, relating to state employee retirement.

HB 335, introduced by Representatives Tilley and Byrd, relating to prescription medication at school.

HB 336, introduced by Representative Pollock, relating to fire protection districts.

HB 337, introduced by Representative Wildberger, relating to local government employee retirement.

HB 338, introduced by Representatives Rector, Johnson (61), Emery, Fisher, Wilson (130), Schlottach, Schad, Wright (137), Wright (159), LeVota, Kraus, Byrd, Quinn, Myers, Hobbs, Skaggs and Bearden, relating to telecommunications service.

HB 339, introduced by Representatives St. Onge, Bivins, Fraser, Schoemehl, Skaggs, Threlkeld, Page, Lowe (44), Parker, Schaaf, Schneider, Smith (14), Faith, Rupp, Bland, Hubbard, Kingery, Byrd, Meadows, Pearce and Cooper (155), relating to seat belts.

HB 340, introduced by Representatives Skaggs and Brown (30), relating to assault of a law enforcement officer, security officer, or emergency personnel.

HB 341, introduced by Representatives Schneider, Hubbard, Johnson (47) and Cunningham (86), relating to A+ school reimbursements.

HB 342, introduced by Representative Baker (123), relating to board of election commissioners.

HB 343, introduced by Representative Baker (123), relating to county officials.

HB 344, introduced by Representative Baker (123), relating to county health centers.

HB 345, introduced by Representative Baker (123), relating to county planning boards.

HB 346, introduced by Representatives Pratt, Munzlinger, Parker, Smith (118), Dougherty and Meiners, relating to right-of-way at intersections.

HB 347, introduced by Representatives Pratt, Schneider, Roark, Wilson (130), Black, Ruestman, Dusenberg, Yates, Dougherty, Wasson, Hobbs, Pearce, Baker (123), Cooper (120), Deeken, Kingery, Wood, Hubbard, Ervin, Rector, Bruns, Brown (30), Emery, Dixon, Richard, Skaggs, LeVota and Wagner, relating to actions against contractors.

HB 348, introduced by Representatives Pearce, Day, McGhee, Sater, Richard, Wells, Fisher, Weter, Sander, Hubbard, Smith (118), Smith (14), Munzlinger, Ruestman, Darrough, Cooper (158), Moore, Bivins, Wilson (119), Dusenberg, Self and Cooper (120), relating to the protection of military facilities and personnel.

HB 349, introduced by Representatives Sutherland, Wilson (119), Smith (118), Johnson (47) and Schlottach, relating to geographical information systems.

HB 350, introduced by Representative Selby, relating to campaign contribution taxes for education.

HB 351, introduced by Representative Selby, relating to driving while intoxicated.

HB 352, introduced by Representatives Lipke, Brown (30) and Nieves, relating to prosecuting and circuit attorneys' power to dismiss charges.

HB 353, introduced by Representatives Lipke, Page, Brown (30) and Nieves, relating to probation.

HB 354, introduced by Representatives Lipke, Page, Wilson (119), Wildberger, Dusenberg, Brown (30) and Nieves, relating to unlawful use of weapons.

HB 355, introduced by Representative Dempsey, relating to health care liens.

HB 356, introduced by Representatives Lipke, Cunningham (86), Fraser, Brown (30) and Nieves, relating to juvenile court jurisdiction.

HB 357, introduced by Representatives Lipke, Jolly, Dusenberg, Hubbard and Flook, relating to the crime victims' compensation fund.

HB 358, introduced by Representatives Lipke and Wilson (119), relating to the role of the court and jury in sentencing.

HB 359, introduced by Representatives Lipke, Page, Dusenberg and Brown (30), relating to failure to provide identity.

HB 360, introduced by Representatives Lipke, Page, Wilson (119), Dusenberg, Jolly, Brown (30) and Nieves, relating to resisting or interfering with arrest.

HB 361, introduced by Representatives Lipke, Yates, Nieves, Jolly, Dusenberg, Hubbard and Flook, relating to the surcharge for DNA profiling analysis.

HB 362, introduced by Representatives Lipke, Yates, Dusenberg and Hubbard, relating to expungement.

HB 363, introduced by Representatives Lipke, Dethrow, Yates, Bivins, Brown (30), Nieves, Jolly, Dusenberg and Hubbard, relating to probation and parole.

COMMITTEE REPORT

Committee on Ethics, Chairman Dempsey reporting:

Mr. Speaker: Your Committee on Ethics, begs leave to report that pursuant to Rule 36 of the House Rules it has adopted Rules of Procedure and hereby submits said Rules of Procedure in the form of a House Resolution and recommends that it has examined the same and recommends that **House Resolution No. 241 be adopted.**

HOUSE RESOLUTION NO. 241

ETHICS COMMITTEE RULES OF PROCEDURE

RULE 1. Scope and Authority

These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 36.

RULE 2. Definitions

As used in these Rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

(1) Censure - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report and requires the presence of the respondent in the chamber during consideration and vote by the entire House on such resolution.

(2) Letter of Reproval - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the committee's report.

(3) Reprimand - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of the office, which recommendation is included as part of the committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.

RULE 3. Quorum

A quorum exists when a majority of the members of the Committee are present.

RULE 4. Form of Complaints

A. All complaints filed with the Speaker against a member of the House shall be made by a member. The complaints shall be confidential and shall be referred to the Committee on Ethics within ten (10) days and shall be in writing and under oath, setting forth in simple, concise and direct statements:

(1) The name and legal address of the member or members acting as complainant;

(2) The name of the member of the House alleged to have engaged in the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct" means:

- (a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;
 - (b) Any conduct constituting a conflict of interest under Chapter 105, RSMo;
 - (c) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.
- (3) The nature of the alleged crime, misconduct, neglect, corruption or other unethical act, including when applicable, the specific law, rule, regulation or ethical standard violated;
- (4) The facts alleged to have given rise to the violation; and
- (5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.

B. All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. Initial Examination of the Complaint by the Committee

A. Within thirty (30) days of the assignment of the complaint by the Speaker, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee, and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent shall not act as a member of the Committee for purposes of his complaint.

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a general statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these Rules, a majority of the Committee appointed shall vote by roll call to either:

- (1) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding;
- (2) Proceed to a preliminary hearing;
- (3) Dismiss the complaint.

D. In determining whether or not to proceed the Committee shall consider the following:

- (1) The credible evidence contained in the complaint or appended thereto of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards;
- (2) Other administrative or disciplinary action by other interested bodies;
- (3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and
- (4) Other relevant circumstances that would justify expediting, declining or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule 6 of these Rules. The complainant shall also be notified, in writing, of the action of the Committee. Examination of the complaint and the determination of Rule 5.C. shall be conducted in a closed meeting.

RULE 6. Answers and Motions

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

(1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may desire to submit;

(2) An objection to the jurisdiction of the Committee to investigate the complaint; or

(3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day period shall not be considered by the Committee.

C. The Chairman of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the Chairman, such extension would facilitate a fair and complete inquiry and may be shortened when the Chairman determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

RULE 7. Preliminary Hearings

A. A preliminary hearing may be held to hear arguments based on the pleadings submitted in the case. The preliminary hearing shall be an open meeting. The committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the pleadings. A Complainant or respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

B. The committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by him to administer oaths. Members of the committee shall be given an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements.

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to either:

(1) Dismiss the complaint, or

(2) Proceed by

- (a) undertaking an investigative hearing; or
- (b) deciding the case based upon the preliminary hearing.

A decision based upon a preliminary hearing shall require the consent of the respondent.

D. If the committee decides to make a summary decision of the case and the respondent accepts this disposition the Committee may, by a majority vote, recommend one of the following sanctions:

- (1) Letter of reproval;
- (2) Reprimand; or
- (3) Censure.

RULE 8. Investigative Hearings

A. An investigative hearing may be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House. The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as it deems necessary. The Committee may obtain a court-issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the investigative hearing shall be as follows:

(1) The Chairman shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.

(2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes.

(3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:

- (a) Witnesses and other evidence offered by the complainant;
- (b) Witnesses and other evidence offered by the respondent;
- (c) Witnesses and other evidence offered by the Committee staff; and
- (d) Rebuttal witnesses.

(4) The Chairman or his designee shall examine each witness. The Committee members may then question the witness. The respondent or his counsel may then cross-examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross-examined by the complainant or his counsel, if he has one, and then may be cross-examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion.

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear or affirm that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?" The oath shall be administered by the Chairman or Committee member designated by him to administer oaths.

RULE 9. Admissibility of Evidence

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The Chairman or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The Chairman or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At an investigative hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

RULE 10. Witnesses

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the Chairman, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at investigative hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.

D. The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

E. The respondent is entitled to present witnesses in his behalf. However, the Chairman may limit such testimony when, in his discretion, he finds the testimony is repetitious or cumulative.

F. Each witness subpoenaed by the Committee shall be reimbursed for those reasonable expenses approved by the Committee.

G. Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to Committee.

RULE 11. Findings, Conclusions and Recommendations

A. At the completion of the preliminary hearing or investigative hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reproval if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House:

- (1) Expel the member as provided in Article III, Section 18 of the Missouri Constitution;
- (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or
- (3) Take no further action, stating the reasons therefor.

RULE 12. Matters Not Covered in These Rules of Procedure

The Rules of Procedure of the United States House of Representatives Committee on Standards of Official Conduct of the 109th Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

WITHDRAWAL OF HOUSE BILL

January 26, 2005

Dear Clerk Davis:

I would like to withdraw **House Bill No. 318** to be resubmitted at a later date.

Very truly yours,

/s/ Representative Rob Schaaf

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, January 27, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 4.

Overviews Department of Conservation and Department of Agriculture.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 7.

Organizational meeting as well as reviewing proposed budgets from office of Governor and Lt. Governor.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 5.

Department overviews will begin promptly at 8:00 a.m.

ELECTIONS

Thursday, January 27, 2005, 10:15 a.m. Hearing Room 7.

Time as indicated or upon morning adjournment, whichever is later.

Executive session to follow.

Public hearing to be held on: SB 176

LOCAL GOVERNMENT

Thursday, January 27, 2005, 8:00 a.m. Hearing Room 6.

Organizational meeting.

Public hearings to be held on: HB 47, HB 40

HOUSE CALENDAR

THIRTEENTH DAY, THURSDAY, JANUARY 27, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 11

HOUSE BILLS FOR SECOND READING

HB 324 through HB 363

HOUSE RESOLUTION

HR 241, (1-26-05) - Dempsey (18)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 27, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father David Buescher.

God of grace and understanding, our representatives have heard our Governor speak, and should now focus on the process of assessing the present and legislating for the future.

Give these men and women spirit and insight to make the decisions which will concern our citizens. With minds and hearts of muscle and devotion, help them work today to try to realize their dreams and goals for this state. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Clara Diaz, Abby Best, Cole Thurman, Travis Redding and Robert Browning.

The Journal of the twelfth day was approved as printed by the following vote:

AYES: 156

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman

Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Bland	Boykins	Page	Skaggs
Vogt				

VACANCIES: 001

HOUSE RESOLUTIONS

Representative Cooper (158) offered House Resolution No. 282.
Representative Kingery offered House Resolution No. 298.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 274	-	Representative Jackson
House Resolution No. 275	-	Representative Munzlinger
House Resolution No. 276		
and		
House Resolution No. 277	-	Representative Wildberger
House Resolution No. 278	-	Representative Villa
House Resolution No. 279	-	Representative Fares
House Resolution No. 280	-	Representative Rector
House Resolution No. 281	-	Representative Cooper (158)
House Resolution No. 283	-	Representatives Dusenberg and Pratt
House Resolution No. 284		
and		
House Resolution No. 285	-	Representative Dusenberg
House Resolution No. 286		
through		
House Resolution No. 297	-	Representative Pearce
House Resolution No. 299	-	Representative Cooper (158)
House Resolution No. 300	-	Representative Lager
House Resolution No. 301	-	Representative May

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 11 was read the second time.

SECOND READING OF HOUSE BILLS

HB 324 through **HB 363** were read the second time.

HOUSE RESOLUTION

HR 241, relating to Ethics Committee Rules of Procedure, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **HR 241** was adopted by the following vote:

AYES: 155

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 001

Daus

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery
Vogt

Boykins

Cooper 120

Page

Skaggs

VACANCIES: 001

REFERRAL OF HOUSE BILLS

HB 27 – Crime Prevention and Public Safety
HB 37 – Ways and Means
HB 39 – Elementary and Secondary Education
HB 41 – Health Care Policy
HB 44 – Elections
HB 46 – Local Government
HB 49 – Judiciary
HB 50 – Judiciary
HB 52 – Ways and Means
HB 53 – Transportation
HB 54 – Ways and Means
HB 56 – Professional Registration and Licensing
HB 57 – Crime Prevention and Public Safety
HB 58 – Local Government
HB 59 – Professional Registration and Licensing
HB 61 – Professional Registration and Licensing
HB 64 – Ways and Means
HB 65 – Ways and Means
HB 66 – Elections
HB 72 – Local Government
HB 73 – Elementary and Secondary Education
HB 74 – Crime Prevention and Public Safety
HB 75 – Small Business
HB 76 – Local Government
HB 77 – Workforce Development and Workplace Safety
HB 81 – Elementary and Secondary Education
HB 82 – Health Care Policy
HB 86 – Insurance Policy
HB 87 – Elementary and Secondary Education
HB 88 – Insurance Policy
HB 90 – Elementary and Secondary Education
HB 92 – Ways and Means
HB 93 – Workforce Development and Workplace Safety
HB 96 – Insurance Policy
HB 97 – Crime Prevention and Public Safety
HB 98 – Workforce Development and Workplace Safety
HB 99 – Judiciary

HB 103 – Higher Education
HB 104 – Local Government
HB 107 – Elections
HB 109 – Professional Registration and Licensing
HB 111 – Ways and Means
HB 114 – Local Government
HB 120 – Transportation
HB 121 – Crime Prevention and Public Safety
HB 125 – Transportation
HB 126 – Crime Prevention and Public Safety
HB 127 – Local Government
HB 132 – Transportation
HB 133 – Local Government
HB 135 – Job Creation and Economic Development
HB 137 – Judiciary
HB 141 – Senior Citizen Advocacy
HB 142 – Professional Registration and Licensing
HB 145 – Elementary and Secondary Education
HB 147 – Transportation
HB 150 – Ways and Means
HB 152 – Elections
HB 153 – Elementary and Secondary Education
HB 155 – Transportation
HB 156 – Crime Prevention and Public Safety
HB 158 – Job Creation and Economic Development
HB 166 – Conservation and Natural Resources
HB 170 – Local Government
HB 173 – Elementary and Secondary Education
HB 175 – Professional Registration and Licensing
HB 177 – Crime Prevention and Public Safety
HB 178 – Judiciary
HB 180 – Local Government
HB 181 – Ways and Means
HB 182 – Professional Registration and Licensing
HB 185 – Veterans
HB 188 – Crime Prevention and Public Safety
HB 189 – Crime Prevention and Public Safety
HB 193 – Judiciary
HB 194 – Ways and Means
HB 196 – Crime Prevention and Public Safety
HB 200 – Local Government
HB 201 – Transportation
HB 205 – Children and Families
HB 207 – Workforce Development and Workplace Safety
HB 208 – Judiciary
HB 209 – Ways and Means

HB 211 – Agriculture Policy
HB 215 – Local Government
HB 218 – Transportation
HB 219 – Administration and Accounts
HB 221 – Ways and Means
HB 222 – Ways and Means
HB 225 – Judiciary
HB 226 – Job Creation and Economic Development
HB 227 – Job Creation and Economic Development
HB 230 – Senior Citizen Advocacy
HB 231 – Senior Citizen Advocacy
HB 234 – Judiciary
HB 235 – Ways and Means
HB 245 – Conservation and Natural Resources
HB 250 – Local Government
HB 251 – Elementary and Secondary Education
HB 253 – Local Government
HB 254 – Transportation
HB 256 – Ways and Means
HB 257 – Ways and Means
HB 260 – Local Government
HB 261 – Retirement
HB 262 – Transportation
HB 263 – Retirement
HB 264 – Higher Education
HB 267 – Agriculture Policy
HB 269 – Judiciary
HB 270 – Judiciary
HB 273 – Workforce Development and Workplace Safety
HB 279 – Judiciary
HB 284 – Local Government
HB 292 – Utilities
HB 293 – Ways and Means
HB 300 – Professional Registration and Licensing

COMMITTEE REPORT

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SB 176**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 12, introduced by Representatives Bearden, Lager, Roark, Goodman, Baker (123), Munzlinger, Schneider, Bivins, Myers, Phillips, Stefanick, Wasson, Wood, Sander, Dixon, Icet, Davis, Cunningham (86), Sutherland, Ervin, Ruestman, Stevenson, Brown (30), Threlkeld, Myers, Smith (14), Goodman, Moore, Hunter, Emery, Cooper (155) and Dusenberg, relating to limits on state appropriations.

HJR 13, introduced by Representatives Portwood and Lembke, relating to property exempt from taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 364, introduced by Representatives Myers, Stevenson and Sutherland, relating to taxation of modular units.

HB 365, introduced by Representatives Munzlinger, Jones, Parson, Barnitz, Bringer, Dougherty, Kuessner, Henke, Ervin, Hobbs, Myers, Nieves, Davis (19), Dusenberg, Jetton, Smith (118), Sater, Wells, Pearce, Witte, Whorton, Shoemyer, Salva, Robinson, Schad, Wasson, Guest, Schlottach, Sutherland, Wilson (119), Jackson, Emery, Black, Lipke, Lembke, Ruestman, Goodman, Bearden, Moore, Day, Behnen, Richard, Cooper (120), Sander, Harris (110), Cunningham (86), Self, Kingery, Rector, May and McGhee, relating to the county sheriff's revolving fund.

HB 366, introduced by Representatives Munzlinger, Sander, Day, Whorton, Pearce, Weter, Myers, Loehner, Harris (110), Moore, Sutherland, Behnen and Hunter, relating to landowner liability.

HB 367, introduced by Representatives Munzlinger, Sander, Moore, Myers and Behnen, relating to agricultural production.

HB 368, introduced by Representatives Munzlinger, Brown (30), Myers, Swinger, Dougherty, Sander, Whorton, Hobbs, Dethrow, Sater, Wilson (119) and Darrough, relating to biodiesel fuel.

HB 369, introduced by Representatives Munzlinger, Myers, Sander and Moore, relating to the agricultural product utilization contributor tax credit.

HB 370, introduced by Representatives Munzlinger, Hunter, Quinn, Sander and Darrough, relating to the designation of a state poem.

HB 371, introduced by Representatives Smith (118), Sater, Walton, Ervin, Moore, Threlkeld, Parson, Pearce, Cunningham (86), Zweifel, Hunter, Bruns, Whorton, Myers, Brown (30), Sander, Icet, Denison, Rupp, Yaeger, Franz, Oxford, Hobbs, Quinn and Munzlinger, relating to the administrative law judges and legal advisors retirement system.

HB 372, introduced by Representatives Darrough, Corcoran, Kuessner, Aull, Liese, Chappelle-Nadal, Young, Hoskins and George, relating to rebates.

HB 373, introduced by Representatives Fares, Sutherland, Bivins, St. Onge, Schlottach and Schoemehl, relating to the senior citizens' homestead tax relief act.

HB 374, introduced by Representatives Villa, Wright-Jones, Kratky, Daus, Storch, Oxford, Johnson (61), Donnelly and Hubbard, relating to the state highways and road system.

HB 375, introduced by Representatives Nance, Aull, Day, McGhee, Wells, Cooper (120), Fisher, Jones and Parson, relating to the Congressman Ike Skelton Bridge.

HB 376, introduced by Representatives Guest, Myers, Hunter, Dethrow, Kelly, Black, Moore and Munzlinger, relating to concentrated animal feeding operations.

HB 377, introduced by Representatives Wilson (119), Wallace, Wood, Loehner, Bivins, Franz, Chinn, Nolte, Roark, Dixon, Cunningham (145), Munzlinger, Parson, Pollock, Brown (30), Lipke, Guest, Emery, Dethrow, Hobbs, Richard, Ervin, Icet, Wasson, Wilson (130), Denison, Smith (118), Sander, Myers, Pearce, Sater, Wells, Robb, Day, Weter, Fisher, Wright (159), Rector, Meadows, Yaeger, Harris (110), Low (39), Jones, Schad, Sutherland, Schlottach, Darrough, Corcoran, Dougherty, Hubbard, Schaaf, Kingery, Page, Dusenberger, Self, Smith (14), Viebrock, Ruestman, Quinn, Behnen, Bean, Cooper (155), Shoemyer, Johnson (47), Cunningham (86) and Moore, relating to automatic renewal of driver's licenses.

HB 378, introduced by Representative Cooper (120), relating to school district tuition adjustments.

HB 379, introduced by Representative Cooper (120), relating to compensation for financial institution regulators.

HB 380, introduced by Representatives Walton, Oxford, Rupp, Hunter, Brown (30), Quinn, Viebrock, Stevenson and Portwood, relating to fire protection districts.

HB 381, introduced by Representatives Walton, Oxford, Wildberger, Rupp, Hunter, Brown (30), Quinn, Viebrock, Stevenson, Portwood, Boykins and Rucker, relating to fire protection districts.

HB 382, introduced by Representatives George, Lowe (44) and Walsh, relating to prevailing wages on public works.

HB 383, introduced by Representatives Pratt, Wright-Jones and Schneider, relating to sovereign immunity.

HB 384, introduced by Representatives Shoemyer, Henke, Kuessner, Harris (110), Harris (23), LeVota, Whorton, Liese, Jetton, Parker, Corcoran, Burnett, Young, Robinson, Fraser, Donnelly, Wright-Jones, Boykins, Haywood, Curls, Goodman, Barnitz, Skaggs, Baker (25), Kratky, Villa, Meadows, Jolly, Darrough, Witte, Swinger, Roorda, Storch, Salva, Chappelle-Nadal, El-Amin, Low (39), Johnson (47), Smith (118), Schaaf, Black, Wood, Wilson (119), Nolte, Faith, Schlottach, Barnitz, Quinn and Brown (50), relating to anhydrous ammonia.

HB 385, introduced by Representative Cooper (158), relating to the designation of a memorial bridge.

HB 386, introduced by Representative Cooper (158), relating to the designation of Ronald Reagan Day in Missouri.

HB 387, introduced by Representatives Byrd, Burnett and Goodman, relating to the dry-cleaning environmental response trust.

HB 388, introduced by Representative Yates, relating to insurance compliance audits.

HB 389, introduced by Representatives Harris (23), Witte, Roorda, Jolly, Lampe, Baker (25), Oxford, Henke, LeVota, Barnitz, Whorton, Shoemyer, Liese, Storch, Fraser, Schoemehl, Rucker, Robinson, Burnett, Aull, Meadows, Brown (50), Casey, Wildberger, Hubbard, Walsh, Curls, Skaggs, Corcoran, Kuessner, Meiners, Harris (110), George, Sanders Brooks, Page, Yaeger, Young, Walton, Daus, Darrough, Kratky, Hoskins, Zweifel, Donnelly, Chappelle-Nadal, Vogt, Bowman, Wagner, Johnson (61), Swinger, Bland, Haywood, Bringer, Salva, Hughes, Johnson (90), Villa, Boykins, Lowe (44), Selby, El-Amin, Low (39) and Spreng, relating to endangering the welfare of a child in the first degree.

HB 390, introduced by Representatives Harris (23), Walton, Harris (110), Oxford, LeVota, Lampe, Yaeger, Johnson (90), Storch, Burnett, Salva, Aull, Roorda, Meadows, Casey, Witte, Villa, Fraser, Donnelly, Wright-Jones, Zweifel, Sater, Jolly, Brown (50), George, Schoemehl, Wagner, Johnson (61), Meiners, Baker (25), Shoemyer, Daus, Haywood, Kratky, Bland, Wildberger, Liese, Schneider, Page, Hubbard, Spreng, Hoskins, Rucker, Robinson, Bowman, Kuessner, Swinger, Walsh, Henke, Selby, Darrough and Robb, relating to unlawful transactions with a child.

WITHDRAWAL OF HOUSE BILL

January 27, 2005

Steve Davis, Chief Clerk
House of Representatives
State Capitol Building
Jefferson City, MO 65101-6806

Dear Mr. Davis:

I would like to withdraw **House Bill No. 310** to be submitted at a later date.

Sincerely,

/s/ Kevin Wilson
State Representative
District 130

The following members' presence was noted: Boykins and Vogt.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, January 31, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 1, 2005, 12:00 p.m. Hearing Room 1.
Public hearing to be held on: HB 191

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 4.
Overviews Department of Conservation and Department of Agriculture.

APPROPRIATIONS - EDUCATION

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 1.
Organizational meeting.

APPROPRIATIONS - EDUCATION

Tuesday, February 1, 2005, 2:45 p.m. Hearing Room 1.
Presentation from Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 7.
Organizational meeting as well as reviewing proposed budgets from office of Governor and Lt. Governor.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 3.
Public testimony and discuss organizational issues.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 6.
Organizational meeting.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 5.
Department overviews will begin promptly at 8:00 a.m.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 2, 2005, 6:00 p.m. Hearing Room 1.

Public testimony from the Department of Conservation.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 1, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 272

ELECTIONS

Tuesday, February 1, 2005, 6:00 p.m. Hearing Room 5.

Introductory meeting with representatives from Secretary of State Election Division, Ethics and County Clerks.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 172, HB 276, HB 297

FISCAL REVIEW

Wednesday, February 2, 2005, 3:00 p.m. Hearing Room 6.

Organizational meeting.

HIGHER EDUCATION

Tuesday, February 1, 2005, 12:00 p.m. Hearing Room 4.

Public hearing to be held on: HB 220

RULES

Monday, January 31, 2005, 2:00 p.m. Hearing Room 1.

Executive session will follow.

Public hearing to be held on: SB 176

TRANSPORTATION

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 43, HB 62, HB 154, HB 210, HB 243

VETERANS

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 94, HB 119, HB 162, HB 163, HB 213, HB 216

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, JANUARY 31, 2005

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 12 and HJR 13

HOUSE BILLS FOR SECOND READING

HB 364 through HB 390

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, JANUARY 31, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You are our portion and our cup [of blessing]; You hold our future in Your hand.

O how we revel in the democratic process and appreciate our freedom to do so. May the newly formed governments of this world come to experience and appreciate democracy as we do. May we never take it for granted.

We are always aware of Your presence and because You are at our right hand, we will not be shaken nor will we be sidetracked from the assignment before us.

May we be those who walk in our integrity, do what is right in Your sight, speak the truth from our heart, refuse to criticize one another, do not harbor evil in our heart, and who keep our word whatever the cost.

May Your grace be sufficient for all we do.

In the majestic name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

There was a moment of silence in memory of former Representative Maurice Lawson.

The Journal of the thirteenth day was approved as printed by the following vote:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota

Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Hubbard	Johnson 90	Walton
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VACANCIES: 001

HOUSE RESOLUTION

Representative Bearden, et al., offered House Resolution No. 309.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 302	-	Representative Dixon, et al.
House Resolution No. 303		
and		
House Resolution No. 304	-	Representative Behnen
House Resolution No. 305		
and		
House Resolution No. 306	-	Representative Storch
House Resolution No. 307	-	Representative Wasson
House Resolution No. 308	-	Representative Lampe
House Resolution No. 310	-	Representative Nieves
House Resolution No. 311	-	Representative Lager
House Resolution No. 312	-	Representative Emery
House Resolution No. 313	-	Representative Haywood

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 12 and **HJR 13** were read the second time.

SECOND READING OF HOUSE BILLS

HB 364 through **HB 390** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 309 - Rules

COMMITTEE REPORT

Committee on Rules, Chairman Bearden reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SB 176**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

SUPPLEMENTAL CALENDAR

JANUARY 31, 2005

SENATE BILL FOR THIRD READING

SB 176, E.C. - Deeken

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 10**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 391, introduced by Representative Cooper (120), relating to public records.

HB 392, introduced by Representatives Icet, Muschany, Cooper (155), Sater, Shoemyer, Phillips, Myers, Meiners, Behnen, Davis, Meadows, Weter, Cunningham (86), Moore, Sutherland, Bivins, Sander and Wood, relating to tax credits for contributions to pregnancy resource centers.

HB 393, introduced by Representatives Byrd, Jetton, Bearden, Dempsey, Goodman, Portwood, Nieves, Hunter, Hubbard, Dougherty, Page, Pratt, Selby, Kelly, Smith (14), Marsh, Richard, Hobbs, Brown (30), Faith, Chinn, Cunningham (86), Kingery, Schaaf, Sutherland, Baker (123), Self, Cooper (158), Deeken, Emery, Lager, Roark, Ervin, Ruestman, Dixon, Weter, Munzlinger, Cooper (120), Pearce, Wood, Tilley, Jackson, Robb, Davis, Quinn, Moore, Dusenberg, Rector, Yates, Smith (118), Wasson, Wilson (130), Sander, Nolte, Schad, Wilson (119), Phillips, Cooper (155), Denison, Wells, Nance, Bean, Wright (159), Johnson (47), Rupp, Pollock, McGhee,

Lembke, Guest, Fares, Bivins, Threlkeld, Viebrock, May, Jones, Icet, Sater, Bruns, Stefanick, Dethrow, Lipke, Muschany, Kraus, Stevenson, Behnen, Fisher, Cunningham (145), Loehner, Day, Wright (137), Schlottach, Meiners, Franz and St. Onge, relating to claims for damages and the payment thereof.

HB 394, introduced by Representative Byrd, relating to insurance for health care providers in Missouri.

HB 395, introduced by Representative Wood, relating to water supply districts.

HB 396, introduced by Representatives Roorda, Oxford, Meadows, Wildberger, Hoskins, Swinger, Bringer, Lampe, Casey, Johnson (90), Harris (23), Denison, Wagner, Jolly, Aull, Robinson, Schoemehl, Darrough, Parson and Jones, relating to hazardous materials.

HB 397, introduced by Representatives Henke, Kuessner, Barnitz, Swinger, Munzlinger and Bringer, relating to license plates for disabled persons.

HB 398, introduced by Representatives Lowe (44), Meiners, Walsh and Young, relating to navigation and regulatory markers.

HB 399, introduced by Representative Lowe (44), relating to state building energy codes.

HB 400, introduced by Representatives Yates, Moore, Wildberger, Bivins, Meiners, Wasson, Page, Johnson (47), Dusenberg, Sater, Myers and Avery, relating to the dental carve-out act of 2005.

HB 401, introduced by Representative Bruns, relating to emergency services.

HB 402, introduced by Representatives Schaaf, Stefanick, Behnen, Bearden, Denison, Stevenson, Portwood, Johnson (47), Munzlinger, Page, Sander, Threlkeld, Wright (137), Oxford, Wright (159), Dusenberg, Davis, May, Deeken, Kingery, Weter, Chinn, Richard, Jones and Skaggs, relating to podiatrists.

HB 403, introduced by Representatives Donnelly, Skaggs, Spreng, Wright-Jones, Selby, LeVota, Brown (50), Meiners, Shoemyer, Fraser, Daus, Haywood, Kratky, Hoskins, Whorton, Zweifel, Darrough, Aull, Bowman, Low (39), Kuessner, Wildberger, Salva, Bland, Chappelle-Nadal, Baker (25), Barnitz, Witte, Walton, Casey, Wagner, Sanders Brooks, Storch, Lampe, Lowe (44), Johnson (61), Liese, Burnett, Hughes, Rucker, Dougherty, Schoemehl, Robinson, Swinger, Harris (110), Bringer, Henke, Roorda, Jolly, Meadows, George, Young, Harris (23), Walsh, Curls, Oxford, Yaeger, Corcoran, Vogt and Johnson (90), relating to life insurance benefits for Missouri national guard personnel.

COMMUNICATION

Pursuant to section 477.650, RSMo, the Missouri Supreme Court has reported to the General Assembly on the collection and disbursement of moneys from the Basic Civic Legal Services fund. A copy is on file in the Office of the Chief Clerk.

WITHDRAWAL OF HOUSE BILLS

January 27, 2005

Steve Davis
Missouri House of Representatives
Room 306C
Jefferson City, MO 65101

Dear Steve:

I had previously filed **House Bill No. 247** that “establishes child passenger restraint system guidelines for children six and under,” but respectfully ask that this bill be withdrawn.

Thanking you in advance for your assistance in this matter.

Best regards,

/s/ Representative Gary Dusenberg
District 54

January 27, 2005

Mr. Steve Davis
Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Clerk Davis:

I would like to withdraw **House Bill No. 290** to be resubmitted at a later date.

Sincerely,

/s/ Barbara Fraser

The following member's presence was noted: Boykins.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, February 1, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 1, 2005, 12:00 p.m. Hearing Room 1.
Public hearing to be held on: HB 191

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 4.
Overviews Department of Conservation and Department of Agriculture.

APPROPRIATIONS - EDUCATION

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 1.
Organizational meeting.

APPROPRIATIONS - EDUCATION

Tuesday, February 1, 2005, 2:45 p.m. Hearing Room 1.
Presentation from Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 7.
Organizational meeting as well as reviewing proposed budgets
from office of Governor and Lt. Governor.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 3.
Public testimony and discuss organizational issues.
Recess upon morning adjournment to 6:00 p.m. AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 6.
Organizational meeting.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 1, 2005, 8:00 a.m. Hearing Room 5.
Department overviews will begin promptly at 8:00 a.m.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 2, 2005, 6:00 p.m. Hearing Room 1.
Public testimony on the Department of Conservation.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 1, 2005, 6:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearing to be held on: HB 272

ELECTIONS

Tuesday, February 1, 2005, 6:00 p.m. Hearing Room 5.
Introductory meeting with representatives from Secretary of
State Election Division, Ethics and County Clerks.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 172, HB 276, HB 297

ETHICS

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 4.
Approval of caucuses. Executive session to follow.

FISCAL REVIEW

Wednesday, February 2, 2005, 3:00 p.m. Hearing Room 6.
Organizational meeting.

HEALTH CARE POLICY

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 6.
Organizational meeting.

HIGHER EDUCATION

Tuesday, February 1, 2005, 12:00 p.m. Hearing Room 4.
Executive session to follow. AMENDED
Public hearing to be held on: HB 220

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 2, 2005, 12:00 p.m. Hearing Room 6.
Organizational meeting. Executive session may follow.

JUDICIARY

Tuesday, February 1, 2005, 12:00 p.m. Hearing Room 7.
Organizational meeting will follow.
Public hearing to be held on: HB 85

LOCAL GOVERNMENT

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 6.
Public hearings to be held on: HB 127, HB 46, HB 215, HB 58, HB 284
Executive session may be held on: HB 40

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 2, 2005, 12:00 p.m. Hearing Room 1.
Organizational meeting. Executive board directors from
the Division of Professional Registration will be in attendance.

TRANSPORTATION

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 1. AMENDED
Public hearings to be held on: HB 43, HB 62, HB 154, HB 155, HB 210, HB 243

VETERANS

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 94, HB 119, HB 162, HB 163, HB 213, HB 216

HOUSE CALENDAR

FIFTEENTH DAY, TUESDAY, FEBRUARY 1, 2005

HOUSE BILLS FOR SECOND READING

HB 391 through HB 403

SENATE BILL FOR THIRD READING

SB 176, E.C. - Deeken

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, FEBRUARY 1, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father David Buescher.

Heavenly Father, we begin this month asking You for grace and insight. We likewise ask a blessing on the little people of our state, the little people of our constituencies – children in schools, the sick in hospital or home, the aged and elderly, the homeless, single parents, anyone suffering discrimination of any kind, the hopelessly poor.

This grand Chamber is here for them as well as for the healthy and the fortunate. Let the work done here this day be motivated by care for the entirety of our state. We bring You this need and all our private needs in trust and faith, longing for true peace and justice. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Thomas William Smith III, Joshua Farrar, David Bickel, Jenah Bickel, Faith Bickel, Laney Rabun and Stevie Rabun.

The Journal of the fourteenth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 314	-	Representative Liese, et al.
House Resolution No. 315	-	Representative Sanders Brooks
House Resolution No. 316	-	Representative Aull
House Resolution No. 317		
through		
House Resolution No. 319	-	Representative Schaaf
House Resolution No. 320	-	Representative Salva
House Resolution No. 321	-	Representative Dethrow
House Resolution No. 322		
and		
House Resolution No. 323	-	Representative Denison
House Resolution No. 324	-	Representative Aull
House Resolution No. 325	-	Representative Robinson
House Resolution No. 326	-	Representative Swinger
House Resolution No. 327	-	Representative Lampe
House Resolution No. 328	-	Representative Aull

SECOND READING OF HOUSE BILLS

HB 391 through **HB 403** were read the second time.

THIRD READING OF SENATE BILL

SB 176, relating to political subdivision elections, was taken up by Representative Deeken.

On motion of Representative Deeken, **SB 176** was truly agreed to and finally passed by the following vote:

AYES: 142

Aull	Baker 123	Baker 25	Bean	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Henke	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 017

Barnitz	Bowman	Burnett	Chappelle-Nadal	Darrough
Donnelly	El-Amin	Harris 110	Harris 23	Haywood
Hughes	Johnson 90	LeVota	Lowe 44	Page
Vogt	Walsh			

PRESENT: 001

George

ABSENT WITH LEAVE: 002

Avery Walton

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 158

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 70
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 001

El-Amin

PRESENT: 001

George

ABSENT WITH LEAVE: 002

Avery Walton

VACANCIES: 001

RECESS

Representative Dempsey moved that the House stand in recess until 12:15 p.m. in order for the Speaker to sign **SB 176**.

The hour of recess having expired, the House was called to order by Speaker Jetton.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SB 176** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 282 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 393 - Judiciary

HB 394 - Insurance Policy

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 404, introduced by Representatives Goodman, Ruestman, Pearce, Bivins, Munzlinger, Wood, Daus, Sater, Johnson (47), Kratky and Wasson, relating to sewerage systems.

HB 405, introduced by Representatives Johnson (47) and Villa, relating to the sale of liquor.

HB 406, introduced by Representatives Roorda, Casey, Darrough, Meadows, Johnson (90), Wagner and Harris (110), relating to motorized bicycles.

HB 407, introduced by Representatives Roorda, Meadows, Casey, Darrough, Brown (50), Johnson (90), Wagner, Harris (110) and Selby, relating to schedule II controlled substances.

HB 408, introduced by Representatives Parker, Deeken, Sander, Schaaf, Hoskins, Hubbard, Bland, El-Amin, Bruns, Quinn, Kingery, Villa, Boykins, Lowe (44), Harris (110) and Schneider, relating to the creation of a death penalty commission.

HB 409, introduced by Representative Vogt, relating to the St. Louis students' bill of rights.

HB 410, introduced by Representatives Flook, Nance, Ervin, Nolte, Walton, Cooper (155), Moore, Denison and Skaggs, relating to the designation of a highway.

HB 411, introduced by Representatives Denison, Wilson (119), Myers, Lampe, Dougherty, Brown (50), Sater, Behnen, Whorton, Meiners, Sander, Weter and Moore, relating to employment of retirees of the public school retirement system.

HB 412, introduced by Representatives Wasson, Smith (14), Wilson (119), Wood, Viebrock, Roark, Byrd, Ervin, Jackson, Day, Wallace, Cunningham (145), Jetton, Denison, Richard, Parson, Schad, Kuessner, Kratky, Dougherty, May, Cooper (158), Wilson (130) and Dethrow, relating to income taxation.

HB 413, introduced by Representatives Hubbard, Jetton, Parker, Chappelle-Nadal, Bland, Bowman, Page, Rucker, Hoskins, Hughes, Low (39), Bearden, Schaaf, Oxford, Lampe, Baker (25), Selby, Skaggs, Zweifel, Darrough, Wildberger, Whorton, Cooper (155), Meadows, Harris (110) and Sanders Brooks, relating to a bioterrorism vaccination program for first responders deployed to disaster locations.

HB 414, introduced by Representatives Bruns and Rupp, relating to an income tax exemption for military service personnel.

HB 415, introduced by Representatives Sutherland, Smith (118) and Lipke, relating to county recorders.

HB 416, introduced by Representatives Smith (14), Sutherland, Smith (118), Dougherty, Bearden, Hoskins, Hubbard, Jolly, Brown (30), Munzlinger, Cooper (120), Faith, Behnen, Dixon, Ervin, Baker (123), Robinson, Walton, Page, Day, Bivins, Whorton, Dusenberg, Kelly, Parker, Shoemyer, St. Onge, Kingery, Lampe, Pratt, Chinn, Ruestman, Self, Davis, Viebrock, Moore and Wasson, relating to tax relief for veterans.

COMMITTEE ASSIGNMENTS

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Byrd, Richard - Chair

Goodman, Jack

Page, Sam

Stevenson, Bryan

Vogt, Michael

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Boykins, Amber
Icet, Allen
Lager, Brad
Lembke, Jim
Meadows, Tim

JOINT COMMITTEE ON CORRECTIONS

Moore, Danie - Vice-Chair

Bruns, Mark
Harris, Belinda
Hubbard, Rodney
Kelly, Van
Robinson, Brad

JOINT COMMITTEE ON COURT AUTOMATION

Bringer, Rachel
Byrd, Richard
Lager, Brad

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT POLICY AND PLANNING

Richard, Ron - Chair

Bowman, John
Dempsey, Tom
Swinger, Terry
Wilson, Kevin

JOINT COMMITTEE ON EDUCATION

Baker, Brian
Bringer, Rachel
Brooks, Sharon Sanders
Corcoran, Michael
Johnson, Bob
Robb, Ed
Wallace, Maynard

JOINT COMMITTEE ON GAMING AND WAGERING

Johnson, Bob - Vice Chair

Bean, Otto
Dusenberg, Gary
Meiners, Kate
Wagner, Wes

JOINT COMMITTEE ON GOVERNMENT ACCOUNTABILITY

Cooper, Nathan
Donnelly, Margaret
Ervin, Doug
Faith, Sally
Icet, Allen
Meadows, Tim
Zweifel, Clint

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Bearden, Carl - Vice Chair

Barnitz, Frank
Bringer, Rachel
Cooper, Shannon
Dempsey, Tom
Icet, Allen
Lager, Brad
Salva, Ray
Walton, Juanita
Yates, Brian

JOINT COMMITTEE ON PUBLIC EMPLOYMENT RETIREMENT

Smith, Todd - Chair

Daus, Mike
Franz, Ward
Haywood, Esther
Rupp, Scott
Yaeger, Patricia

JOINT COMMITTEE ON TAX POLICY

Sutherland, Mike - Chair

Bland, Craig
Cooper, Shannon
Stevenson, Bryan
Zweifel, Clint

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Jackson, Jack - Chair

Bruns, Mark
Cooper, Wayne
Dusenberg, Gary
Roorda, Jeff
Walsh, Gina
Wildberger, Ed

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

St. Onge, Neal - Chair

Black, Lanie
Daus, Mike
Denison, Charlie
Henke, Wayne
Schlottach, Charlie
Young, Terry

JOINT COMMITTEE ON WETLANDS

Munzlinger, Brian - Chair

Barnitz, Frank
Henke, Wayne
Wood, Dennis
Wright, Billy Pat

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Bowman has been appointed a member of the Transportation Committee.

Representative Boykins has been appointed a member of the Financial Institutions Committee.

Representative Cooper (158) has been appointed a member of the Financial Institutions Committee and the Fiscal Review Committee.

Representative Darrough is no longer a member of the Ways and Means Committee and has been appointed a member of the Crime Prevention and Public Safety Committee.

Representative Deeken has been appointed a member of the Small Business Committee.

Representative Goodman has been appointed a member of the Fiscal Review Committee.

Representative Kelly has been appointed a member of the Workforce Development and Workplace Safety Committee.

Representative Kratky has been appointed a member of the Insurance Policy Committee.

Representative Parson has been appointed a member of the Crime Prevention and Public Safety Committee.

Representative Wallace has been appointed a member of the Local Government Committee.

Representative Wright-Jones is no longer a member of the Insurance Policy Committee and the Transportation Committee and has been appointed a member of the Small Business Committee and the Ways and Means Committee.

MESSAGE FROM THE GOVERNOR

Office of the Governor
State of Missouri

January 31, 2005

REORGANIZATION PLAN NO. 1 2005

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2005, by Executive Order 05-07, providing for the consolidation of the Office of Information Technology and the division of Information Services within the Office of Administration.

Respectfully submitted,

/s/ Matt Blunt

EXECUTIVE ORDER
05-07

WHEREAS, the State of Missouri recognizes the critical importance of technology to its government, industry, and economy; and

WHEREAS, the Office of Information Technology was established by Executive Order 03-26 develop strategies and policies to improve existing information technology investments and create a plan to establish an infrastructure which supports innovative government management solutions; and

WHEREAS, Executive Order 03-26 provided that for administrative purposes, the Office of Information Technology shall be located within the Office of Administration; and

WHEREAS, the Office of Administration's Division of Information Services was created pursuant to Chapter 37, RSMo, and is the central point for coordinating the data processing policies of the executive branch, promoting economy and efficiency in the use of data processing and telecommunications for the transaction of State business; and

WHEREAS, it appears to be in the best interest of the State of Missouri to consolidate the Office of Information Technology and the Division of Information Services to avoid duplication of activities and administrative costs, thereby achieving economy and efficiency across State government; and

WHEREAS, it is appropriate for this consolidated office to be assigned to the Office of Administration.

NOW THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Article IV, Section 12, Missouri Constitution, Chapter 26, RSMo, and the Omnibus State Reorganization Act of 1974, hereby assign the Office of Information Technology to the Office of Administration's Division of Information Services in its entirety with all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Office of Information Technology. Further, the head of the consolidated office shall have the title of Chief Information Officer and Director of the Division of Information Services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 26th day of January, 2005.

WITHDRAWAL OF HOUSE BILL

February 1, 2005

Mr. Steve Davis, Chief Clerk
Missouri House Representatives
State Capitol
Jefferson City, MO 65101

Dear Steve:

I had previously filed **House Bill No. 384** relating to anhydrous ammonia, but respectfully request that this bill be withdrawn.

Thank you for your assistance in this matter.

Sincerely,

/s/ Wes Shoemyer

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, February 2, 2005.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fourteenth Day, Monday, January 31, 2005, Page 185, Line 8, by deleting the name "Bearden" and inserting in lieu thereof the name "Cooper (120)".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 2, 2005, 2:45 p.m. Hearing Room 7.

Budgets to be reviewed. Office of Secretary of State, State Treasurer, Attorney General and State Auditor.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 7, 2005, 10:00 a.m. Hearing Room 3.

Public testimony and discuss organizational issues.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 2, 2005, 6:00 p.m. Hearing Room 1.

Public testimony on the Department of Conservation.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 172, HB 276, HB 297

ETHICS

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 4.

Approval of caucuses. Executive session to follow.

FINANCIAL INSTITUTIONS

Tuesday, February 8, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 248

FISCAL REVIEW

Wednesday, February 2, 2005, 3:00 p.m. Hearing Room 6.

Organizational meeting.

HEALTH CARE POLICY

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 6.

Organizational meeting.

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 2, 2005, 12:00 p.m. Hearing Room 6.

Organizational meeting. Executive session may follow.

LOCAL GOVERNMENT

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 6.

Public hearings to be held on: HB 127, HB 46, HB 215, HB 58, HB 284

Executive session may be held on: HB 40

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 2, 2005, 12:00 p.m. Hearing Room 1.
Organizational meeting. Executive board directors from the
Division of Professional Registration will be in attendance.

RULES

Wednesday, February 2, 2005, 3:30 p.m. Hearing Room 5.
Executive session may be held.
Public hearings to be held on: HR 309, HR 282

SENIOR CITIZEN ADVOCACY

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 1.
Executive session may follow.
Public hearing to be held on: HB 229

SMALL BUSINESS

Wednesday, February 2, 2005, 12:00 p.m. Hearing Room 3.
Executive session may follow. AMENDED
Public hearing to be held on: HB 190

TRANSPORTATION

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 1. AMENDED
Public hearings to be held on: HB 43, HB 62, HB 154, HB 155, HB 210, HB 243

UTILITIES

Wednesday, February 2, 2005, 12:00 p.m. Hearing Room 5.
Committee will begin at noon or after morning session, whichever is later.
Executive session may follow. AMENDED
Public hearing to be held on: HB 292

VETERANS

Wednesday, February 2, 2005, 8:00 a.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 94, HB 119, HB 162, HB 163, HB 213, HB 216

WAYS AND MEANS

Wednesday, February 2, 2005, 6:00 p.m. Hearing Room 7.
Organizational issues will be discussed.
Public hearings to be held on: HB 65, HB 221, HB 48

HOUSE CALENDAR

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 2, 2005

HOUSE BILLS FOR SECOND READING

HB 404 through HB 416

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 2, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You reveal the path of life to us; in Your presence is abundant joy; in Your right hand are eternal pleasures. May we not stray from that path.

May we experience the joy of believing, the joy of serving, and the joy of abundant life.

By Your grace and mercy, we avoid repeating the mistakes of the past. Our steps are on Your paths; our feet have not slipped. We call on You, Heavenly Father, because You hear our prayer, listen closely to us and answer us.

May our striving not be with one another, but against the status quo and the obstacles that prevent true growth and progress for our state. May we provoke one another to good works and avoid proud speech.

Now may Your grace rest and abide with us all.

In the everlasting name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jared Warner, David Weybright and Alonzo Johnson.

The Journal of the fifteenth day was approved as corrected.

HOUSE CONCURRENT RESOLUTIONS

Representative Parker offered House Concurrent Resolution No. 16.

Representative Cooper (158) offered House Concurrent Resolution No. 17.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 329 - Representative Bruns

House Resolution No. 330 - Representative Munzlinger

House Resolution No. 331 - Representative Parson

House Resolution No. 332

and

House Resolution No. 333 - Representative Viebrock

House Resolution No. 334 - Representative Swinger
House Resolution No. 335
and
House Resolution No. 336 - Representative Wright-Jones
House Resolution No. 337 - Representative Faith, et al.
House Resolution No. 338
through
House Resolution No. 340 - Representative Donnelly
House Resolution No. 341 - Representative Wagner
House Resolution No. 342 - Representative Bivins
House Resolution No. 343 - Representative Bruns
House Resolution No. 344 - Representative Rector
House Resolution No. 345
and
House Resolution No. 346 - Representative Kingery
House Resolution No. 347 - Representative Nolte

SECOND READING OF HOUSE BILLS

HB 404 through **HB 416** were read the second time.

MOTION

Representative Dempsey moved that Rule 113 be suspended.

Which motion was adopted by the following vote:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker

Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 002

Daus Vogt

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Dougherty Walton

VACANCIES: 001

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Peter Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 032

Bartle	Bray	Callahan	Cauthorn	Champion
Clemens	Coleman	Crowell	Days	Dolan
Dougherty	Engler	Gibbons	Graham	Green
Griesheimer	Gross	Kennedy	Klindt	Koster
Loudon	Mayer	Nodler	Purgason	Ridgeway
Scott	Shields	Stouffer	Taylor	Vogel
Wheeler	Wilson			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 000

VACANCIES: 002

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Bowman

Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Bean	Boykins	Curls	Walton
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VACANCIES: 001

STATE OF TRANSPORTATION ADDRESS

by
Pete Rahn
February 2, 2005

Lt. Governor, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Members of the 93rd General Assembly, Members of the Missouri Highways and Transportation Commission, and Citizens of Missouri:

Transportation is vital to the great state of Missouri. I'm sure you're impressed that I have figured that out in just four and a half short months.

Transportation allows the lifeblood of commerce to flow to every extremity of America and the world.

- It accounts for 11 percent of our nation's Gross **Domestic** Product - second only to health care.
- U.S. households spend up to 19 percent of their income on transportation - second only to housing.
- Nine cents of every dollar spent by consumers on manufactured goods is for transportation.
- 14 cents of every dollar spent by consumers on agricultural products is for transportation.

Unfortunately, the factors that take a toll on this essential system keep increasing. And it's important to note, our highways and even the Interstates were never designed to accommodate the types and volumes of traffic they encounter today.

- Large trucks on our highways increased by 132 percent between 1990 and 2000.
- The growth of "just-in-time inventory" with its dependence on rapid shipping will cause freight tonnage on our highways to increase by 70 percent in the next 15 years.
- International trade, which obviously depends on transportation infrastructure, grew from 900 billion dollars in 1990 to 2.2 trillion dollars in 2000.
- The average American spends 443 hours annually behind the wheel of an automobile.

Nationally, these things have stretched our transportation system to its limit.

- 46 percent of our National Highway System and 90 percent of our urban interstates will be beyond capacity by 2020.
- Congestion in our urban areas accounts for 4.5 billion hours of delay and 6.8 billion gallons of wasted fuel every year.

So, what about Missouri?

- We have the nation's third worst pavement conditions.
- Of Missouri's major highways, 54 percent of the pavement is in fair to poor condition.
- We are fourth in the nation in the number of deficient bridges on our system.
- Additionally, I-70 is in a state of near crisis. I-70, now almost 50 years old, was designed for a 20-year lifespan.
- This problem promises to get worse. Traffic on I-70 is expected to double by the year 2030.
- Meanwhile, I-44 is an I-70 just waiting to happen. We observe many of the same problems on this vital interstate as on I-70.

These troubling conditions are easy to understand when you consider that:

- We have the seventh largest highway system in the country.
- In fact, you could combine all of the state highways in Iowa, Nebraska and Kansas and it still would not equal the size of Missouri's system.
- Yet we are 42nd in the amount of money we spend on that system per mile.
- Of the eight states surrounding Missouri, only Arkansas spends less per mile of highway than we do.
- Our fuel tax is tied for the 10th lowest compared to all other states.
- In fact, our fuel tax of 17 cents - adjusted for inflation - is worth just over 8 cents today in purchasing power.
- For example, the first fuel tax from 1924 of 2 cents would have to be 21 cents today to buy as much.
- At the same time, we rank seventh in the number of bridges on our state system -- more than 10,000.
- And we are first in the nation when it comes to major river bridges. In fact, you could combine about 25 other states and they still wouldn't have as many as us.
- Additionally, Missouri is 15th in the number of vehicle miles traveled with more than 68 billion per year.

We certainly face a challenge, but I know that together we can meet it. The importance of transportation to Missouri is too great not to act. If transportation allows the lifeblood of commerce to flow, then Missouri, at the center of the world's largest economy, should be the heart pumping that blood to every part of the world resulting in economic prosperity right here at home.

Fellow Missourians, our state transportation system is deficient, but your state transportation department is committed to fixing it. We are energized by an optimistic vision for the future. Your MoDOT today is a vibrant agency that cares deeply about the people we serve. We have challenged and empowered every employee to continuously improve the level of service each provides to every Missourian.

I can tell you, the most effective ideas for improving this department will come from the collaboration of our entire transportation team. I want the people closest to the problems to be the ones to solve them because they want to,

not because they were told to. Every crew worker who wields a shovel, every engineer who picks up a set of plans and every clerk who works at a computer should believe they “own” their job.

Authority to make necessary changes and improvements will not be concentrated here in Jefferson City. It will be dispersed to every corner of this great state. This approach is commonly referred to as decentralization. I call it common sense.

With this empowerment will come a new kind of accountability. A new kind of credibility. A new kind of state agency.

We will be a model for what today's state government should be - efficient, streamlined, forward-thinking, results-driven and customer-oriented. I have heard many of you say that you have seen a lot of improvement in MoDOT over the past few years. To that we say, “Thank you, but you ain't seen nothin' yet.”

We will be a shining star in your state government galaxy.

Now, I know what you're thinking, “this is the show-me state. You're going to have to show us.” Well, we intend to. We will be a transparent organization. You will see what we do well. You will see what we don't do so well and you will see what we do to get better.

MoDOT will be an open house. Our walls will be solid, but you will be able to see everything we do. Information about how we spend your money, our goals for improving transportation and our progress toward these goals will be distributed to statewide officials, lawmakers, the media and anyone else who wants it.

Plus, this information will be made available on our Internet site for the whole worldwide web to see. By conducting business in full view of the taxpayers of this state, we will encourage all Missourians to hold us accountable and to propose transportation solutions.

Our transparent house, however, will not be fragile. It will not be built on the shifting sands of promises we can't deliver or commitments we can't keep. It will be built on the solid rock of sound business practices, wise use of taxpayer dollars and extensive public input. MoDOT's house will be strong!

And, since you don't build a house starting with the top floor, the foundation of our house will be the results we deliver and the performance measures we track, which will produce an unparalleled level of accountability.

Last year from this dais, many of you heard that a new day had dawned at MoDOT. This year I reaffirm that statement. Morning has broken. The sun is rising on our transportation horizon. And thousands of rays of sunlight in the form of MoDOT employees and our citizen-partners are illuminating the morning sky with a message of cooperation and progress.

Ladies and gentlemen, can you tell that I am thrilled to be your director of transportation and to have the opportunity to address you today? I am thrilled to call myself a Missourian. I am thrilled to work with such dedicated public servants. And I am thrilled at the possibilities of our transportation future.

And, it really is an exciting time for transportation in Missouri. On November 2, 2004, four out of five voters in this state said they wanted their roads fixed and they trusted MoDOT to do it.

Since then we've worked extremely hard to identify needs and get projects under contract. Today, we're saying to Missourians that MoDOT is ready to deliver, and the improvements will be noticeable and quick.

We come to you with a shared vision of smoother, safer roads that will be built sooner. Missourians have sent a clear message that they want smoother, safer highways. Today, we send a clear message that smoother, safer highways are exactly what they will get.

Therefore, we have embarked on an ambitious initiative for our transportation future -- ambitious to the tune of more than 1.7 billion dollars in vital improvements.

360 million dollars will fund 177 projects in the Smooth Roads Initiative - the first element of our Smoother, Safer, Sooner plan. This initiative will provide 2,200 miles of better pavement for a smoother drive, as well as a brighter, more visible roadway to help on stormy nights, and safer shoulders with rumble strips, all by the end of 2007. Today, three quarters of those miles are in fair to poor condition.

The highway miles included in the Smooth Roads Initiative account for 60 percent of all traffic on the state system. These roads include interstates, major highways in the metropolitan areas and highway corridors connecting smaller towns throughout our state. 86 percent of Missouri's population lives within 10 miles of these roads.

Amendment 3 will also allow for bond financing to accelerate more than 430 million dollars in high-priority construction projects. These 55 projects, which comprise the second element of the Smoother, Safer, Sooner program, were already scheduled to begin in the next five years, but work can now begin much sooner - several years sooner, in many cases. Speeding up these projects will have an enormously positive impact on the safety and economic well being of our citizens.

Examples of major projects to be built sooner include:

- Rehabilitation of the Route 67 Missouri River Bridge crossing in St. Louis
- Major congestion relief work on the Triangle in Kansas City
- Completion of Route 61 four laning in northeast Missouri
- And completion of the four-lane Route 71 corridor south of Joplin

The third element of Amendment 3 will be determined later this spring after working with our planning partners statewide, when 1.3 billion dollars in additional bond-financed projects will be announced. These will be new projects not currently in our five-year plan. Our goal is to invest these funds in projects that will have a substantial impact on our overall transportation system.

And I want to stress -- every dollar of Amendment 3 revenues will go to our roads. No new buildings. No added personnel.

Our plans do not center solely on Amendment 3 funding, however.

We support efforts to allocate more money for other transportation modes such as aviation, rail, waterways and public transit. Legislation is expected to be introduced to direct the sales taxes that highway construction contractors are currently paying, and which amount to a mini-diversion, toward multi-modal services.

The multi-modal plan would allow us to improve our airports that are key to economic development throughout this state. It would increase access to Missouri's railroads and river barges. And it would allow for more public transportation options in both our large cities and small towns by building facilities and helping to match Federal dollars for capital equipment purchases.

Our plan is a total transportation plan. It is ambitious, but we are ambitious. We will confront the realities of the present and anticipate the challenges of the future. We will seek to unite based on the priorities of where we live, which is in Missouri. We will listen to all Missourians and we will seek to do what is best for all of Missouri.

MoDOT is excited about the opportunity to better serve all Missourians. I see excitement within MoDOT that I've been told has not existed for many years. We are excited to be able to do the things we like to do - fix our roads, help people and, ultimately, save lives.

We like to build roads. We like to delight our customers with smooth roadways, four-lane highways, brighter striping, better signs, wider shoulders and lots of other improvements.

Amendment 3 will help, but it will not solve all our problems. In fact, the money from Amendment 3 will only move us from 44th lowest nationally in revenue per mile to 42nd lowest. That is not a big jump. We will, however, do more with that two spot increase than you would have ever thought.

You will see the results. You will feel the results. And you will hear about the results from your constituents who will be confident that their tax dollars are going toward their intended purpose - better highways.

We, at MoDOT, also like to help people. Martin Luther King, Jr., often told the story of two travelers journeying down a dangerous road. Seeing a man needing help, the first traveler said, "What will happen to me if I stop and help the man in need?" The second traveler said, "What will happen to the man in need if I do not stop to help?"

Many MoDOT employees have decided to stop and help, going above and beyond the call of duty to help their fellow Missourians.

- When an MFA propane truck overturned on Route O in Johnson County, three of your MoDOT Good Samaritans, Jesse Dunkle, Brian Terrell and Loren Dickmeier, pulled the driver from his burning truck, called 911 and flagged traffic around the crash.
- When MoDOT employee Larry Boesch found a dog that had been hit by a car alongside I-435 near Smithville, he took off the dog's collar, called its veterinarian and gave a family with two young children the opportunity to say "good-bye" to their beloved friend named "Rocket".
- When MoDOT Waterways Program Manager Sherrie Martin found out that the executive director of the New Madrid Port Authority had to take time off because of serious health issues, she traveled to southeast Missouri and virtually assumed her customer's job as executive director of the Port Authority ensuring that vital projects were completed.
- And when the President of the United States called upon the men and women of the Missouri National Guard to aid in bringing freedom to Iraq, MoDOT employees answered the call. Matt Bacon used his MoDOT training to help rebuild roads and infrastructure in the war torn country. Meanwhile, Bruce Pettus utilized his experience with St. Louis Motorist Assist and incident management to invent a rear armor guard for Humvees that is now standard on all such vehicles sent to Iraq.

Matt, Bruce and all the people I mentioned who cared enough to help are here today. I ask them to stand and receive the recognition they deserve.

MoDOT wants to "stop and help" even more along the path. Because of this, it is vital we seek new ways to save more lives. Each year we lose 1,200 mothers, fathers, sons and daughters on Missouri's roads. Something must be done.

One thousand two hundred people killed on our highways is the equivalent of the entire population of communities like Mound City or Lincoln, or New Franklin, or Pasadena Hills or Puxico. Additionally, 69,000 people are injured in traffic crashes every year. That is roughly equivalent to the populations of Cass, or Cape Girardeau or Cole Counties. Something must be done.

Far too many of those who die on our highways are our young people. In 2004, 132 drivers under the age of 21 were killed on Missouri's roadways. These youths accounted for nearly 30 percent of all crashes. Their average age was 17.9 years old. Clearly. Urgently. Something must be done.

Mother's Against Drunk Driving, Triple A, SAFE KIDS St. Louis, the Missouri Association of Insurance Agents, the safety Council of the Ozarks and numerous other organizations know exactly what that something is. On their behalf, on behalf of all those killed or injured on our roadways and on behalf of too many children whose parents never come home again -- we plead to you to enact a primary seat belt law this year. We haven't a moment to lose because we have already lost too many Missourians.

We have the opportunity to save at least 90 lives every year on the highways of Missouri. A law that allows law enforcement officers to simply enforce our existing seat belt law could do exactly that. I realize that many believe this is an issue of individual choice. I would suggest that is not the issue at all. State law already says that everyone must wear a seatbelt. The question now is "Will we allow our law enforcement officers to enforce the law?"

It makes sense to enact a primary safety belt law. It is the most cost effective way to save lives that Missouri has available. It won't cost a dime more in taxpayer money. However, the cost of inaction is far too high. Let's start saving those lives this year.

In his Inaugural Address, Governor Matt Blunt said, "...we will be bold. We will be willing to experiment. We will not fear failure. We will bear setbacks with resolve and press forward with determined innovation. We will attack problems with the deliberation that accompanies this great responsibility and with the energy necessary to build a better Missouri."

MoDOT is up to Governor Blunt's challenge. We will be bold. We will be willing to experiment. We will not fear failure. We will be determined. We will attack problems and we will be energetic. We are committed to going from being a good organization to being a great organization.

We cannot, however, make our transportation system great without all of you. Elected officials, private citizens and anyone else who cares about building a better Missouri will have a seat at the transportation table. We will seek your opinions like never before because your MoDOT knows that we don't have all the answers. We also know that many of the best ideas come from the people we serve.

I was once told of an exchange between Nelson Mandela when he was President of South Africa and the international press corps at a news conference in Johannesburg. A young reporter asked Mandela how he could justify having spent 27 years in prison in support of an idea no one thought could become a reality. Mandela smiled and said his mother had told him that there were three kinds of people in the world:

- The first left nothing behind, not even their name, when they departed
- The second left only the bad things they had done
- And the third left the world a little better off.

Nelson Mandela then asked, "How could I let my mother down?"

Well, I don't think any of us want to let our mothers down!

We are committed to achieving goals that many think will never become reality, but together we can leave our part of the world...a little better off.

As famous Missourian Walt Disney said, "It's kinda fun to do the impossible."

Alone, MoDOT cannot make our transportation system great, but, together, we can.

Together, we can save lives on our highways.

Together, we can make our roadways better.

Together, we can encourage economic prosperity.

Together, we can provide greater transportation services in every part of this state.

Together, we can be great.

Thank you. May God bless America, may God bless Missouri and may God bless your travels.

The Joint Session was dissolved by Senator Shields.

Speaker Jetton resumed the Chair.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 17 - Rules

COMMITTEE REPORT

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 309**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

HOUSE RESOLUTION NO. 309

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, Union leader, corporate spokesman, Governor of California, and President of the United States; and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America, the second of which he earned the confidence of 60% of the electorate and was victorious in 49 of the 50 states in the general election - a record unsurpassed in the history of American presidential elections; and

WHEREAS, in 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment; and

WHEREAS, during Mr. Reagan's presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government which led to an unprecedented economic expansion and opportunity for millions of Americans; and

WHEREAS, Mr Reagan's commitment to an active social policy agenda for the nation's children helped lower crime and drug use in our neighborhoods; and

WHEREAS, President Reagan's commitment to our armed forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America's Armed Forces to meet 21st Century challenges; and

WHEREAS, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and

WHEREAS, February 6th is the birthday of Ronald Reagan:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, hereby recognize February 6, 2005, to be "Ronald Reagan Day" in Missouri and urge all citizens of Missouri to recognize this event and participate fittingly in its observance.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 417, introduced by Representatives Yates, Wilson (130), Dusenberg, Wilson (119), Rupp, Roark, Nance and Kratky, relating to the uninsured motorist stipulation of benefits act.

HB 418, introduced by Representatives Dusenberg, Wilson (119), Threlkeld, Bivins, Sater, Donnelly, LeVota and Page, relating to child safety restraints.

HB 419, introduced by Representative Baker (123), relating to mechanic liens.

HB 420, introduced by Representatives Page, Lampe, Moore, Yaeger, Fraser, Sanders Brooks, Corcoran, Johnson (90), Skaggs, Donnelly, Zweifel, Chappelle-Nadal, Hubbard, Henke, Schoemehl, Young, Oxford, LeVota, Storch, Roorda, Walsh, Liese, Dougherty, Wildberger, Whorton, Fraser, Harris (110), Meadows, Witte, Villa, Swinger, Daus, Kratky and Baker (25), relating to the senior Rx program.

HB 421, introduced by Representative Smith (14), relating to the Missouri national guard family education grant.

HB 422, introduced by Representatives Black, Nolte, Nance, Robb, Weter, Behnen, Faith, Donnelly, Schneider, Wood, Sander, Sater, Phillips, Villa and Kuessner, to authorize the governor to convey property owned by the state in the county of Mississippi to the city of Charleston.

HB 423, introduced by Representatives Kuessner, Harris (110), Dusenberg, Meadows, Roorda, Oxford, Kratky, Day, Darrough, Whorton, Moore, Denison, Henke, Black, Munzlinger, Witte and Parson, relating to the establishment of the Highway Patrolman Robert Kolilis Memorial Highway.

HB 424, introduced by Representatives Parker and Bowman, relating to urban conservation.

HB 425, introduced by Representative Parker, relating to issuance of securities.

HB 426, introduced by Representatives Chappelle-Nadal, Baker (25), Low (39), Brown (50), Hughes, Rucker, Kratky, Oxford, Parker, Walsh, Hubbard and Villa, relating to workplace violence.

HB 427, introduced by Representatives Chappelle-Nadal, Baker (25), Low (39), Brown (50), Rucker, Kratky, Villa, Oxford, Parker, Walsh and Hubbard, relating to workplace violence.

HB 428, introduced by Representatives Chappelle-Nadal, Baker (25), Low (39), Brown (50), Rucker, Parker and Hubbard, relating to a tax credit for workplace violence safety and education programs.

HB 429, introduced by Representatives Chappelle-Nadal, Baker (25), Low (39), Brown (50), Rucker, Parker and Hubbard, relating to workplace violence.

HB 430, introduced by Representatives Shoemyer, Jetton, Young, Swinger, Witte, Robinson, Corcoran, Salva, Barnitz, Baker (25), Lampe, Oxford, Meadows, Roorda, Wildberger, Page, LeVota, Black, Smith (14), Wood, Wilson (119), Smith (118), Faith, Schlottach, Threlkeld, Sutherland, Harris (23) and Harris (110), relating to anhydrous ammonia.

HB 431, introduced by Representative Wright (137), relating to economic stimulus.

HB 432, introduced by Representative Wright (137), relating to tenure for employees of state institutions of higher education.

HB 433, introduced by Representatives Rector, Johnson (61), Byrd, Wright (137), Wright (159), Emery, Bearden, George, Myers, Cooper (120), Bivins, Skaggs, Dempsey, Schlottach and Walsh, relating to telecommunications companies.

HB 434, introduced by Representatives Rector, Bivins, LeVota, Myers, Hobbs, Quinn, George, Young, Viebrock, Barnitz, Skaggs, Wagner, Richard, McGhee, Cooper (120), Schad, Walsh, Emery, Pratt, Byrd and Yates, relating to the public service commission's duties and powers.

HB 435, introduced by Representatives Rector, Lembke, Phillips, Wilson (119), Cunningham (86), Day, Baker (123), Myers, Cooper (158), Wood, Icet, Parker, Bivins, Sander, Behnen, Cooper (155), Sutherland, Whorton, Roorda, Meadows, Harris (110), Yaeger, Swinger, Dempsey, Meiners, Stevenson, Bearden, Moore, Viebrock and Wright (159), relating to the state's policy of protection of human life.

HB 436, introduced by Representatives Zweifel, Corcoran, Meadows, Hoskins, Spreng, Jolly, Villa, Young, Johnson (61), Darrough, Whorton, Yaeger, Fraser, Baker (25), Page and Oxford, relating to the crime of abuse of a person receiving mental health services.

HB 437, introduced by Representative Jackson, relating to the creation of a Missouri military family relief fund.

HB 438, introduced by Representatives Schaaf, Hubbard, Hoskins, Oxford and Bland, relating to lead abatement.

HB 439, introduced by Representative Sutherland, relating to motor vehicle operation.

HB 440, introduced by Representatives Pratt, Haywood, Yaeger, Cooper (120), Denison, Flook, Baker (123), Yates, Meiners, Vogt, Spreng, Burnett, Baker (25), Chappelle-Nadal, Kuessner, Robinson, Aull, Rucker, Moore, Jackson, Storch and Stevenson, relating to the governing boards of certain state higher education institutions.

HB 441, introduced by Representatives Behnen, Lipke, Goodman and Wagner, relating to the scheduling and sale of certain controlled substances.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Baker (25) is no longer a member of the Children and Families Committee and has been appointed a member of the Small Business Committee.

Representative Barnitz is no longer a member of the Job Creation and Economic Development Committee and has been appointed a member of the Appropriations - General Administration Committee.

Representative Bland has been appointed a member of the Health Care Policy Committee.

Representative Curls is no longer a member of the Small Business Committee and has been appointed a member of the Appropriations - Health, Mental Health and Social Services Committee.

Representative Daus is no longer a member of the Insurance Policy Committee and has been appointed a member of the Retirement Committee.

Representative George is no longer a member of the Retirement Committee.

Representative Henke is no longer a member of the Health Care Policy Committee.

Representative Johnson (61) is no longer a member of the Appropriations - Health, Mental Health and Social Services Committee and has been appointed a member of the Utilities Committee.

Representative Liese has been appointed a member of the Insurance Policy Committee.

Representative Low (39) is no longer a member of the Tourism Committee and has been appointed a member of the Children and Families Committee.

Representative Lowe (44) is no longer a member of the Utilities Committee.

Representative Skaggs is no longer a member of the Insurance Policy Committee.

Representative Spreng is no longer a member of the Appropriations - General Administration Committee and has been appointed a member of the Job Creation and Economic Development Committee.

Representative Walsh has been appointed a member of the Tourism Committee.

WITHDRAWAL OF HOUSE BILL

February 2, 2005

Steve Davis, Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Mr. Davis:

I respectfully request that **House Bill No. 277** pertaining to the prevention, screening, and treatment of lead poisoning be withdrawn.

Thank you for your consideration in this matter.

Sincerely,

/s/ Jeanette Mott Oxford
District 59

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, February 3, 2005.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fifteenth Day, Tuesday, February 1, 2005, Page 197, Line 3, by deleting the words, "Vice Chair" from said line.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 4.

Public testimony for the Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 8, 2005, 2:45 p.m. Hearing Room 4.

Public testimony for the Department of Conservation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 7, 2005, 10:00 a.m. Hearing Room 3.

Public testimony and discuss organizational issues.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 7, 2005, 12:00 p.m. Hearing Room 5.

Department of Transportation public testimony will be heard. Department of Insurance.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 5.

Department of Economic Development public testimony will be heard.

Department of Labor and Industrial Relations. AMENDED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 8, 2005, 2:45 p.m. Hearing Room 5.

Department of Economic Development public testimony will be heard.

Department of Labor and Industrial Relations. AMENDED

ETHICS

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 4.

Approval of caucuses. Executive session to follow.

FINANCIAL INSTITUTIONS

Tuesday, February 8, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 248

LOCAL GOVERNMENT

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 6.

Public hearings to be held on: HB 127, HB 46, HB 215, HB 58, HB 284

Executive session may be held on: HB 40

SENIOR CITIZEN ADVOCACY

Thursday, February 3, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 229

HOUSE CALENDAR

SEVENTEENTH DAY, THURSDAY, FEBRUARY 3, 2005

HOUSE BILLS FOR SECOND READING

HB 417 through HB 441

HOUSE RESOLUTION

HR 309, (2-02-05) - Bearden

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTEENTH DAY, THURSDAY, FEBRUARY 3, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father David Buescher.

The Hebrew Scriptures say, "The sun shines on the righteous and the unrighteous; God rains on the just and the unjust alike."

Bless the hours of work that these men and women do today with discernment as to rights and wrongs, to justice and injustice in all its forms.

Like the fog this morning dissipating as the sun breaks through, so may all efforts in this great Hall, all the office business behind the scenes, the committee hearings, and even the routine in the lives of our representatives be executed in light and clarity. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tess Olson, Marcus Flemming, Ellissa Starr and Jacob Bickford.

The Journal of the sixteenth day was approved as printed by the following vote:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Parker

Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Cooper 155	Kratky	Page	Walton
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VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 348	-	Representative Aull
House Resolution No. 349	-	Representative Pratt
House Resolution No. 350		
and		
House Resolution No. 351	-	Representative Aull
House Resolution No. 352	-	Representative Viebrock
House Resolution No. 353	-	Representative Wilson (119)
House Resolution No. 354	-	Representative Denison
House Resolution No. 355	-	Representative Fraser
House Resolution No. 356	-	Representative Sanders Brooks
House Resolution No. 357	-	Representative Aull
House Resolution No. 358		
and		
House Resolution No. 359	-	Representative Witte
House Resolution No. 360		
and		
House Resolution No. 361	-	Representative Avery
House Resolution No. 362		
and		
House Resolution No. 363	-	Representative Pratt
House Resolution No. 364		
through		
House Resolution No. 366	-	Representative Baker (25)
House Resolution No. 367	-	Representative Witte

House Resolution No. 368
through
House Resolution No. 371 - Representative Brown (30)

SECOND READING OF HOUSE BILLS

HB 417 through **HB 441** were read the second time.

HOUSE RESOLUTION

HR 309, relating to Ronald Reagan Day, was taken up by Representative Bearden.

On motion of Representative Bearden, **HR 309** was adopted.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 365 - Crime Prevention and Public Safety
HB 441 - Crime Prevention and Public Safety

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 225 - Retirement
HB 234 - Retirement
HB 295 - Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 297**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ethics, Chairman Dempsey reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **4th Floor Freshman Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Will Kraus

DATE: February 2, 2005

RE: 4th Floor Freshman Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives 4th Floor Freshman Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at 751-1459 if you have any questions concerning this caucus.

Representative	District
/s/ Kathy L. Chinn	8
/s/ Charlie Denison	135
/s/ Ward Franz	151
/s/ Bob Johnson	47
/s/ Will Kraus	48
/s/ T. Scott Muschany	87
/s/ Jerry Nolte	33
/s/ Mike Parson	133
/s/ Rodney Schad	115
/s/ Raymond Weter	142

Mr. Speaker: Your Committee on Ethics, to which was referred the **9th District Congressional Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Mike Sutherland

DATE: January 26, 2005

RE: 9th District Congressional Republican Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of members of the 93rd General Assembly's House of Representatives 9th District Congressional Republican Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at 573-751-2689 if you have questions.

Representative	District
/s/ Brian Munzlinger	1
/s/ Bob Behnen	2
/s/ Kathy L. Chinn	8
/s/ Sherman Parker	12
/s/ Scott Rupp	13
/s/ Joe Smith	14
/s/ Carl Bearden	16
/s/ Cynthia L. Davis	19
/s/ Danie Moore	20
/s/ Steve Hobbs	21
/s/ Therese Sander	22
/s/ Ed Robb	24
/s/ Brian Nieves	98
/s/ Mike Sutherland	99
/s/ Kevin Threlkeld	109
/s/ Charlie Schlottach	111
/s/ Tom Loehner	112
/s/ Mark Bruns	113
/s/ Bill Deeken	114
/s/ Rodney Schad	115
/s/ Kenny Jones	117
/s/ Wayne Cooper	155

Mr. Speaker: Your Committee on Ethics, to which was referred the **101 Capitol Complex Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Trent Skaggs

DATE: January 25, 2005

SUBJECT: 101 Capitol Complex Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo, I would like to request a hearing and approval for the 101 Capitol Complex Caucus.

A listing of the members of the 93rd General Assembly for the 101 Capitol Complex Caucus is attached.

Representative	District
/s/ Esther Haywood	71
/s/ Fred Kratky	65
/s/ John Burnett	40
/s/ Beth Low	39

/s/ J.C. Kuessner	152
/s/ Paul LeVota	52
/s/ Martin Rucker	29
/s/ Trent Skaggs	31
/s/ Jim Whorton	3
/s/ Margaret Donnelly	73

Mr. Speaker: Your Committee on Ethics, to which was referred the **109 Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

January 20, 2005

The Honorable Tom Dempsey
House Majority Floor Leader
Chairman, House Ethics Committee
Room 309 State Capitol Building
Jefferson City, MO 65101

Dear Representative Dempsey:

I respectfully request that you review and approve the following listing of members of the 93rd General Assembly's 109 Caucus. Please consider this a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly pursuant to Section 105.473.3(2)(c)d, RSMo.

Thank you for your consideration and approval. Please do not hesitate to contact me when I can be of any assistance to you.

Sincerely,

Michael J. Spreng
Chairman, 109 Caucus
State Representative
District 76

Representative	District
/s/ Michael J. Spreng	76
/s/ Brad Robinson	107
/s/ Rodney R. Hubbard	58
/s/ Fred Kratky	65
/s/ Kate Meiners	46
/s/ Harold R. Selby	105
/s/ Paul LeVota	52
/s/ Frank A. Barnitz	150
/s/ Yaphett El-Amin	57
/s/ Michael Vogt	66

Mr. Speaker: Your Committee on Ethics, to which was referred the **201 Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
 House Ethics Committee

FROM: Representative Billy Pat Wright

DATE: January 19, 2005

RE: 201 Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives (201 Caucus) is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at 751-1494 if you have any questions concerning this caucus.

Representative	District
/s/ Billy Pat Wright	159
/s/ Darrell Pollock	146
/s/ Bob Nance	36
/s/ Tim Flook	34
/s/ Sally A. Faith	15
/s/ Danie Moore	20
/s/ Kenny Jones	117
/s/ Steven Tilley	106
/s/ Barney Fisher	125
/s/ David A. Day	148
/s/ Richard Byrd	94

Mr. Speaker: Your Committee on Ethics, to which was referred the **2005 Barristers Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Chief Clerk, Steve Davis

FROM: Representative Jack Goodman

DATE: January 13, 2005

RE: 2005 Barristers Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo 2000, we are listing the following members of the General Assembly as members of the 2005 Barristers Caucus.

Representative	District
/s/ Jack A.L. Goodman	132
/s/ Scott A. Lipke	157
/s/ Connie L. Johnson	61
/s/ Bryan Pratt	55
/s/ Brian Yates	56
/s/ Bryan P. Stevenson	128
/s/ John Burnett	40
/s/ Rick Johnson	90
/s/ Rachel Bringer	6
/s/ Cathy Jolly	45
/s/ Richard Byrd	94

/s/ Tim Flook	34
/s/ Rachel Storch	64
/s/ Nathan Cooper	158
/s/ Terry L. Witte	10
/s/ Margaret Donnelly	73
/s/ Jeff Harris	23
/s/ Michael Vogt	66

Mr. Speaker: Your Committee on Ethics, to which was referred the **2005 Joint Southwest Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Chief Clerk, Steve Davis

FROM: Representative Jack Goodman

DATE: January 11, 2005

RE: 2005 Joint Southwest Republican Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo 2000, we are listing the following members of the General Assembly as members of the 2005 Southwest Republican Caucus. This will be a joint caucus.

Representative	District
/s/ Dennis F. Wood	62
/s/ Tom Self	116
/s/ Larry D. Wilson	119
/s/ Wayne Cooper	155
/s/ Ed Emery	126
/s/ Steve Hunter	127
/s/ Bryan P. Stevenson	128
/s/ Ron Richard	129
/s/ Marilyn Ruestman	131
/s/ Jack A.L. Goodman	132
/s/ Jim Viebrock	134
/s/ B.J. Marsh	136
/s/ Mark Wright	137
/s/ Brad Roark	139
/s/ Bob Dixon	140
/s/ Jay Wasson	141
/s/ Maynard Wallace	143
/s/ Van Kelly	144
/s/ Mike Cunningham	145
/s/ Mike Dethrow	153
/s/ Barney Fisher	125
/s/ Mike Parson	133
/s/ Ray Weter	142
/s/ Charlie Denison	135
/s/ David A. Day	148
/s/ Darrell Pollock	146
/s/ Don Wells	147
/s/ Ward Franz	151
/s/ Kevin Wilson	130
/s/ David Sater	68

Mr. Speaker: Your Committee on Ethics to which was referred the **2005 Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Chief Clerk, Steve Davis

DATE: January 5, 2005

RE: 2005 Republican Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo 2000, we are listing the following members of the General Assembly as members of the 2005 Republican Caucus.

Representative	District
/s/ Brian L. Baker	123
/s/ Otto Bean, Jr.	163
/s/ Carl Bearden	16
/s/ Robert J. Behnen	2
/s/ Walt Bivins	97
/s/ Lanie Black	161
/s/ Jason R. Brown	30
/s/ Mark Bruns	113
/s/ Richard Byrd	94
/s/ Kathy L. Chinn	8
/s/ Nathan Cooper	158
/s/ Robert Cooper	155
/s/ Shannon Cooper	120
/s/ Jane Cunningham	86
/s/ Mike Cunningham	145
/s/ Cynthia L. Davis	19
/s/ David A. Day	148
/s/ Bill Deeken	114
/s/ Tom Dempsey	18
/s/ Charlie Denison	135
/s/ Mike Dethrow	153
/s/ Bob Dixon	140
/s/ Gary D. Dusenberg	54
/s/ Ed Emery	126
/s/ Doug Ervin	35
/s/ Sally A. Faith	15
/s/ Kathlyn Fares	91
/s/ Barney Fisher	125
/s/ Tim Flook	34
/s/ Ward Franz	151
/s/ Jack A.L. Goodman	132
/s/ Jim Guest	5
/s/ Steve Hobbs	21
/s/ Steve Hunter	127
/s/ Allen Icet	84
/s/ Jack Jackson	89
/s/ Rod Jetton	156
/s/ Robert Thane Johnson	47
/s/ Kenny Jones	117
/s/ Van Kelly	144

/s/ Gayle Kingery	154
/s/ Will Kraus	48
/s/ Brad Lager	4
/s/ James W. Lembke	85
/s/ Scott A. Lipke	157
/s/ Tom Loehner	112
/s/ B.J. Marsh	136
/s/ Bob May	149
/s/ Mike McGhee	122
/s/ Danie Moore	20
/s/ Brian Munzlinger	1
/s/ T. Scott Muschany	87
/s/ Peter Myers	160
/s/ Bob Nance	36
/s/ Brian Nieves	98
/s/ Jerry Nolte	33
/s/ Sherman Parker	12
/s/ Mike Parson	133
/s/ David Pearce	121
/s/ Susan Phillips	32
/s/ Darrell Pollock	146
/s/ Dr. Charles R. Portwood	92
/s/ Bryan Pratt	55
/s/ John Quinn	7
/s/ Rex Rector	124
/s/ Ron Richard	129
/s/ Brad Roark	139
/s/ Ed Robb	24
/s/ Marilyn Ruestman	131
/s/ Scott Rupp	13
/s/ Therese Sander	22
/s/ David Sater	68
/s/ Rob Schaaf	28
/s/ Rodney Schad	115
/s/ Charles Schlottach	111
/s/ Vicki Schneider	17
/s/ Tom Self	116
/s/ Joe Smith	14
/s/ Todd Smith	118
/s/ Neal St. Onge	88
/s/ Jodi Stefanick	93
/s/ Bryan P. Stevenson	128
/s/ Mike Sutherland	99
/s/ Kevin Threlkeld	109
/s/ Steven Tilley	106
/s/ James Viebrock	134
/s/ Maynard Wallace	143
/s/ Jay Wasson	141
/s/ Don Wells	147
/s/ Ray Weter	142
/s/ Kevin Wilson	130
/s/ Larry D. Wilson	119
/s/ Dennis Wood	62
/s/ Billy Pat Wright	159
/s/ Mark Wright	137
/s/ Brian Yates	56

Mr. Speaker: Your Committee on Ethics, to which was referred the **2005 Republican Leadership Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Tom Dempsey
FROM: Bob Dixon
DATE: January 11, 2005
RE: 2005 Leadership Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo, we are listing the following members of the General Assembly as members of the 2005 Republican Leadership Caucus.

Representative	District
/s/ Rod Jetton	156
/s/ Carl Bearden	16
/s/ Tom Dempsey	18
/s/ Jack A.L. Goodman	132
/s/ Brian Nieves	98
/s/ Bob Dixon	140
/s/ Marilyn Ruestman	131
/s/ Mike Dethrow	153
/s/ Doug Ervin	35
/s/ Mark Wright	137
/s/ Brad Lager	4

Mr. Speaker: Your Committee on Ethics, to which was referred the **2005 Republican Women's Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Majority Floor Leader
FROM: Representative Marilyn Ruestman
DATE: January 18, 2005
RE: 2005-2006 Republican Women's Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo 2000, we are listing the following members of the General Assembly as members of the 2005 Republican Women's Caucus.

Representative	District
/s/ Kathy Chinn	8
/s/ Danie Moore	20
/s/ Marilyn Ruestman	131
/s/ Sally A. Faith	15
/s/ Kathryn Fares	91
/s/ Jodi Stefanick	93
/s/ Jane Cunningham	86
/s/ Vicki Schneider	17

/s/ Susan Phillips	32
/s/ Therese Sander	22
/s/ Cynthia L. Davis	19

Mr. Speaker: Your Committee on Ethics, to which was referred the **2005 Southeast Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
 House Ethics Committee

FROM: Representative Scott A. Lipke

DATE: January 25, 2005

RE: 2005 Southeast Republican Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo 2000, and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives' 2005 Southeast Republican Caucus is attached.

Representative	District
/s/ Scott A. Lipke	157
/s/ Steven Tilley	106
/s/ Peter Myers	160
/s/ Gayle Kingery	154
/s/ Lanie Black	161
/s/ Nathan Cooper	158
/s/ Rod Jetton	156
/s/ Billy Pat Wright	159
/s/ Otto Bean, Jr.	163
/s/ Mike Dethrow	153

Mr. Speaker: Your Committee on Ethics, to which was referred the **American Legislative Exchange Council Committee Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
 House Ethics Committee

FROM: Representative Shannon Cooper
 ALEC Caucus (American Legislative Exchange Council)

DATE: January 12, 2005

RE: ALEC Caucus (American Legislative Exchange Council Committee)

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-1484 if you have any questions concerning this caucus organization.

Representative	District
/s/ Brian Munzlinger	1
/s/ Jim Whorton	3
/s/ Kathy L. Chinn	8
/s/ Joe Smith	14
/s/ Carl Bearden	16
/s/ Tom Dempsey	18
/s/ Therese Sander	22
/s/ Rob Schaaf	28
/s/ Jason Brown	30
/s/ Doug Ervin	35
/s/ Will Kraus	48
/s/ Curt Dougherty	53
/s/ Bryan Pratt	55
/s/ Brian Yates	56
/s/ Connie L. Johnson	61
/s/ Allen Icet	84
/s/ Jane Cunningham	86
/s/ Kathlyn Fares	91
/s/ Shannon Cooper	120
/s/ Walt Bivins	97
/s/ Brian Nieves	98
/s/ Mike Sutherland	99
/s/ Rex Rector	124
/s/ Ed Emery	126
/s/ Steve Hunter	127
/s/ Bryan P. Stevenson	128
/s/ Ron Richard	129
/s/ Marilyn Ruestman	131
/s/ Charlie Denison	135
/s/ Darrell Pollock	146
/s/ David Day	148
/s/ Nathan Cooper	158
/s/ Mark Bruns	113
/s/ Jodi Stefanick	93

Mr. Speaker: Your Committee on Ethics, to which was referred the **Caucus for Legislators for a Moderate Agenda**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Chairman Tom Dempsey
 Ethics Committee

FROM: Chairman Wes Wagner
 Caucus for Legislators for a Moderate Agenda

DATE: January 19, 2005

RE: Caucus for Legislators for a Moderate Agenda

In accordance with section 105.473.3(2)(c)d, RSMo 1998, we are listing the following members of the General Assembly as members for the Caucus for Legislators for a Moderate Agenda.

Representative	District
/s/ Michael G. Corcoran	77
/s/ Bruce Darrough	75
/s/ Tom George	74
/s/ Jeff Harris	23
/s/ Cathy Jolly	45
/s/ Fred Kratky	65
/s/ Al Liese	79
/s/ Jenee Lowe	44
/s/ Tim Meadows	101
/s/ Sue Schoemehl	100
/s/ Harold R. Selby	105
/s/ Wes Shoemyer	9
/s/ Trent Skaggs	31
/s/ Michael Spreng	76
/s/ Michael Vogt	66
/s/ Wes Wagner	104
/s/ Gina Walsh	69
/s/ Ed Wildberger	27
/s/ Patricia M. Yaeger	96
/s/ Terry Young	49
/s/ Clint Zweifel	78
/s/ Paul LeVota	52

Mr. Speaker: Your Committee on Ethics, to which was referred the **City of St. Louis Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Tom Dempsey
Chair Ethics Committee

FROM: Representative Amber H. Boykins

DATE: January 18, 2005

RE: City of St. Louis Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo 2000, we are listing the following members of the General Assembly as members of the City of St. Louis Caucus.

Representative	District
/s/ Amber Boykins	60
/s/ Jeanette Oxford	59
/s/ Mike Daus	67
/s/ Yaphett El-Amin	57
/s/ Rachel Storch	64
/s/ Rodney R. Hubbard	58
/s/ Connie L. Johnson	61
/s/ Robin Wright-Jones	63
/s/ Fred Kratky	65
/s/ Tom Villa	108
/s/ Michael Vogt	66

Mr. Speaker: Your Committee on Ethics, to which was referred the **Cultural Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman, Ethics Committee

FROM: Representative Michael G. Corcoran

DATE: January 27, 2005

RE: Cultural Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo, we are listing the following members of the General Assembly and Senate as members of the Cultural Caucus.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at 751-0855 if you have any questions.

Representative	District
/s/ Michael G. Corcoran	77
/s/ Paul LeVota	52
/s/ Belinda Harris	110
/s/ Wes Shoemyer	9
/s/ Jeanette Mott Oxford	59
/s/ Jason R. Brown	30
/s/ Tim Meadows	101
/s/ Leonard Hughes, IV	42
/s/ Ron Richard	129
/s/ Carl Bearden	16
/s/ Kate Meiners	46
/s/ Todd Smith	118
/s/ Bruce Darrough	75
/s/ Fred Kratky	65
/s/ Maria Chapelle-Nadal	72
/s/ Brian Munzlinger	1
/s/ Bob Behnen	2
/s/ Beth Low	39
/s/ Ed Wildberger	27
/s/ Therese Sander	22
/s/ Jane Cunningham	86
/s/ Nathan Cooper	158
/s/ Margaret Donnelly	73
/s/ Richard Byrd	94
/s/ Melba J. Curls	41
/s/ Rob Schaaf	28
/s/ Curt Dougherty	53
/s/ James W. Lembke	85
/s/ Sara Lampe	138
/s/ Connie L. Johnson	61
/s/ Amber Boykins	60
/s/ Allen Icet	84
/s/ Mike Sutherland	99
/s/ Bob Dixon	140

/s/ Kevin Wilson	130
/s/ Gina Walsh	69
/s/ Sherman Parker	12
/s/ Terry Young	49
/s/ Tom George	74
/s/ Sam Page	82
/s/ Brad Robinson	107
/s/ Al Liese	79
/s/ Charles R. Portwood	92
/s/ Kathlyn Fares	91
/s/ Jenee Lowe	44
/s/ Joe Smith	14
/s/ David Pearce	121
/s/ Sue Schoemehl	100
/s/ J.C. Kuessner	152

Senator	District
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/s/ Tim Green	13
/s/ Charles Wheeler	10
/s/ Norma Champion	30
/s/ Joan Bray	24
/s/ Harry Kennedy	1
/s/ Pat Dougherty	4
/s/ Rita Heard Days	14

Mr. Speaker: Your Committee on Ethics, to which was referred the **Democrat Freshman Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

DATE: January 19, 2005

TO: Representative Tom Dempsey
Chairman, House Ethics Committee
Missouri House of Representatives

FROM: Representative Sara Lampe, District 138

RE: Democrat Freshman Caucus

With this memo I am making a formal application to the Committee on Ethics to approve the Democrat Freshman Caucus to be recognized as a duly filed and approved caucus of the Missouri General Assembly.

I will serve as the current chair of the caucus and as the designated member to present this request to the Committee. Please call my office for any further information.

A list of Democrat Freshman Caucus members is attached.

Representative	District
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/s/ Joe Aull	26
/s/ Judy Baker	25
/s/ John Bowman	70
/s/ Michael Brown	50
/s/ Ron Casey	103
/s/ Maria Chappelle-Nadal	72

/s/ Leonard Hughes, IV	42
/s/ Sara Lampe	138
/s/ Beth Low	39
/s/ Tim Meadows	101
/s/ Jeanette Oxford	59
/s/ Brad Robinson	107
/s/ Jeff Roorda	102
/s/ Martin T. Rucker	29
/s/ Rachel J. Storch	64
/s/ Terry Swinger	162

Mr. Speaker: Your Committee on Ethics, to which was referred the **Democrat Handgun League Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Curt Dougherty
District 53

DATE: January 26, 2005

SUBJECT: Democrat Handgun League Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and rules of the Missouri House of Representatives, a listing of members of the House of Representatives Democrat Handgun League Caucus.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-1247 if you have any questions.

Representative	District
/s/ Terry Witte	10
/s/ Rachel Bringer	6
/s/ John Burnett	40
/s/ Frank Barnitz	150
/s/ Belinda Harris	110
/s/ Sara Lampe	138
/s/ Rodney Hubbard	58
/s/ Tim Meadows	101
/s/ Leonard Hughes, IV	42
/s/ Jim Whorton	3
/s/ J.C. Kuessner	152
/s/ Jeff Harris	23

Mr. Speaker: Your Committee on Ethics, to which was referred the **Democrat Lawyer Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Rep. Tom Dempsey, Chairman
House Ethics Committee

FROM: Rep. John Burnett

DATE: January 25, 2005

Pursuant to Section 105.473.3(2)(c)d, RSMo 1998, a listing of a new caucus, The Democrat Lawyer Caucus is attached. Your acceptance of this new caucus is appreciated.

I will serve as the designated member to present this request to the Ethics Committee. Please contact me if you have questions.

Representative	District
/s/ John P. Burnett	40
/s/ Terry L. Witte	10
/s/ Michael Vogt	66
/s/ Rick Johnson	90
/s/ Rachel Storch	64
/s/ Rachel Bringer	6
/s/ Connie L. Johnson	61
/s/ Cathy Jolly	45
/s/ Jeff Harris	23
/s/ Margaret Donnelly	73

Mr. Speaker: Your Committee on Ethics, to which was referred the **Freshman Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Will Kraus

DATE: January 19, 2005

RE: Freshman Republican Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives Freshman Republican Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at 751-1459 if you have any questions concerning this caucus.

Representative	District
/s/ Kathy L. Chinn	8
/s/ Sally Faith	15
/s/ Ed Robb	24
/s/ Jerry Nolte	33
/s/ Tim Flook	34
/s/ Bob Nance	36
/s/ Will Kraus	48
/s/ David Sater	68

/s/ T. Scott Muschany	87
/s/ Steven Tilley	106
/s/ Tom Loehner	112
/s/ Rodney Schad	115
/s/ Kenny Jones	117
/s/ Mike McGhee	122
/s/ Barney Fisher	125
/s/ Mike Parson	133
/s/ Charlie Denison	135
/s/ Ray Weter	142
/s/ Darrell Pollock	146
/s/ Don Wells	147
/s/ David A. Day	148
/s/ Ward Franz	151
/s/ Nathan Cooper	158
/s/ Billy Pat Wright	159

Mr. Speaker: Your Committee on Ethics, to which was referred the **House Chair Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Shannon Cooper
House Chair Caucus

DATE: January 19, 2005

RE: House Chair Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives House Chair Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-1484 if you have any questions concerning this caucus organization.

Committee	Representative	District
Accounts	/s/ Mark Wright	137
Agriculture Policy	/s/ Peter Myers	160
Appropriations - Agriculture and Natural Resources	/s/ John Quinn	7
Appropriations - Education	/s/ Kathlyn Fares	91
Appropriations - General Administration	/s/ James W. Lembke	85
Appropriations - Health, Mental Health and Social Services	/s/ Jodi Stefanick	93
Appropriations - Public Safety and Corrections	/s/ Danie Moore	20
Appropriations - Transportation and Economic Development	/s/ Lanie Black	161
Budget	/s/ Brad Lager	4

Children and Families	/s/ Susan Phillips	32
Conservation and Natural Resources	/s/ Steve Hobbs	21
Corrections and Public Institutions	/s/ Van Kelly	144
Crime Prevention and Public Safety	/s/ Scott Lipke	157
Elections	/s/ Bob May	149
Elementary and Secondary Education	/s/ Jane Cunningham	86
Ethics	/s/ Tom Dempsey	18
Financial Institutions	/s/ Mike Cunningham	145
Fiscal Review	/s/ Jim Guest	5
Health Care Policy	/s/ Dr. Wayne Cooper	155
Higher Education	/s/ Gale Kingery	154
Insurance Policy	/s/ Brian Yates	56
Job Creation and Economic Development	/s/ Ron Richard	129
Judiciary	/s/ Richard Byrd	94
Local Government	/s/ Bob Johnson	47
Professional Registration and Licensing	/s/ Robert Behnen	2
Retirement	/s/ Todd Smith	118
Rules	/s/ Shannon Cooper	120
Senior Citizen Advocacy	/s/ Mark Bruns	113
Small Business	/s/ Doug Ervin	35
Tourism	/s/ B.J. Marsh	136
Transportation	/s/ Neal St. Onge	88
Utilities	/s/ Rex Rector	124
Veterans	/s/ Jack Jackson	89
Ways and Means	/s/ Mike Sutherland	99
Workforce Development and Workplace Safety	/s/ Steve Hunter	127

Mr. Speaker: Your Committee on Ethics, to which was referred the **Greater Kansas City Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Bob Johnson

DATE: January 26, 2005

RE: Greater Kansas City Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives' Greater Kansas City Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at 751-1456 if you have any questions concerning this caucus.

Representative	District
/s/ Jim Guest	5
/s/ Ed Wildberger	27
/s/ Rob Schaaf	28

/s/ Martin Rucker	29
/s/ Jason Brown	30
/s/ Trent Skaggs	31
/s/ Susan Phillips	32
/s/ Jerry Nolte	33
/s/ Tim Flook	34
/s/ Doug Ervin	35
/s/ Bob Nance	36
/s/ Sharon Sanders Brooks	37
/s/ Beth Low	39
/s/ John Burnett	40
/s/ Melba J. Curls	41
/s/ Leonard Hughes, IV	42
/s/ Craig Bland	43
/s/ Jenee Lowe	44
/s/ Cathy Jolly	45
/s/ Kate Meiners	46
/s/ Robert Thane Johnson	47
/s/ Will Kraus	48
/s/ Terry Young	49
/s/ Michael Brown	50
/s/ Ray Salva	51
/s/ Paul LeVota	52
/s/ Curt Dougherty	53
/s/ Gary Dusenberg	54
/s/ Bryan Pratt	55
/s/ Brian Yates	56
/s/ Mike McGhee	122
/s/ Brian Baker	123
/s/ Rex Rector	124

Mr. Speaker: Your Committee on Ethics, to which was referred the **Healthy Missourians Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Judy Baker

DATE: January 20, 2005

RE: Healthy Missourians Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives Healthy Missourians Caucus is attached.

Please consider this memorandum a formal application to the Committee on Ethics to approve this Caucus to be recognized as a duly filed and approved Caucus of the General Assembly.

Representative	District
/s/ Juanita Head Walton	81
/s/ Trent Skaggs	31
/s/ Fred Kratky	65

/s/ Mike McGhee	122
/s/ Terry Swinger	162
/s/ Sam Page	82
/s/ Patricia M. Yaeger	96
/s/ Jeanette Mott Oxford	59
/s/ Robin Wright-Jones	63
/s/ Ed Wildberger	27
/s/ Wes Shoemyer	9
/s/ Beth Low	39
/s/ Sue Schoemehl	100
/s/ Rob Schaaf	28
/s/ Amber Boykins	60
/s/ Clint Zweifel	78
/s/ Barbara Fraser	83
/s/ David Sater	68
/s/ Connie Johnson	61
/s/ Billy Pat Wright	159
/s/ Cathy Jolly	45
/s/ Sara Lampe	138
/s/ Belinda Harris	110
/s/ Tom George	74
/s/ Judy Baker	25
/s/ Danie Moore	20
/s/ Rachel Storch	64
/s/ Bryan Pratt	55

Mr. Speaker: Your Committee on Ethics, to which was referred the **Jackson and Clay County Democratic Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

DATE: January 20, 2005

TO: Tom Dempsey, Chairman
House Ethics Committee

FROM: Paul LeVota, Assistant Minority Floor Leader

I have attached a listing of members of the 93rd General Assembly's House of Representatives Jackson and Clay County Democratic Caucus.

Please consider this letter an application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

Thank you for your consideration of this request.

Representative	District
/s/ Trent Skaggs	31
/s/ Beth Low	39
/s/ John Burnett	40
/s/ Curt Dougherty	53
/s/ Sharon Sanders Brooks	37
/s/ Michael Brown	50
/s/ Terry Young	49
/s/ Kate Meiners	46

/s/ Melba J. Curls	41
/s/ Craig Bland	43
/s/ Jenee Lowe	44
/s/ Cathy Jolly	45
/s/ Leonard Hughes, IV	42
/s/ Ray Salva	51
/s/ Paul LeVota	52

Mr. Speaker: Your Committee on Ethics, to which was referred the **Jackson County Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Bob Johnson

DATE: January 19, 2005

RE: Jackson County Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives' Jackson County Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at 751-1456 if you have any questions concerning this caucus.

Representative	District
/s/ Sharon Sanders Brooks	37
/s/ Beth Low	39
/s/ John Burnett	40
/s/ Melba J. Curls	41
/s/ Leonard Hughes, IV	42
/s/ Craig Bland	43
/s/ Jenee Lowe	44
/s/ Cathy Jolly	45
/s/ Kate Meiners	46
/s/ Robert Thane Johnson	47
/s/ Will Kraus	48
/s/ Terry Young	49
/s/ Michael Brown	50
/s/ Ray Salva	51
/s/ Paul LeVota	52
/s/ Curt Dougherty	53
/s/ Gary Dusenberg	54
/s/ Bryan Pratt	55
/s/ Brian Yates	56

Mr. Speaker: Your Committee on Ethics, to which was referred the **Majority Whip Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Brian Nieves

DATE: January 25, 2005

RE: Majority Whip Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives' Majority Caucus is attached.

Please consider this memorandum a formal application to the Committee on Ethics to approve this Caucus to be recognized as a duly filed and approved Caucus of the General Assembly.

Representative	District
/s/ Brian Nieves	98
/s/ Jason R. Brown	30
/s/ T. Scott Muschany	87
/s/ Joe Smith	14
/s/ Larry D. Wilson	119
/s/ Cynthia L. Davis	19
/s/ Don Wells	147
/s/ Kathy L. Chinn	8
/s/ David Sater	68
/s/ Kenny Jones	117
/s/ Nathan Cooper	158
/s/ Marilyn Ruestman	131
/s/ Mike McGhee	122
/s/ Sally A. Faith	15
/s/ Darrell Pollock	146
/s/ Ward Franz	151
/s/ Steve Tilley	106
/s/ David A. Day	148
/s/ Rod Jetton	156
/s/ Carl Bearden	16
/s/ Tom Dempsey	18
/s/ Jack A.L. Goodman	132
/s/ Bob Dixon	140
/s/ Robert Cooper	155

Mr. Speaker: Your Committee on Ethics, to which was referred the **Missouri Cancer Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

February 1, 2005

The Honorable Tom Dempsey
Chairman, Ethics Committee
State Capitol Building
Jefferson City, Missouri 65101

Dear Rep. Dempsey:

Please accept the request for the undersigned Representatives to form the Missouri Cancer Caucus, which will consist of the elected members of the General Assembly listed below:

Representative	District
/s/ Scott Rupp	13
/s/ Brian Nieves	98
/s/ Joe Smith	14
/s/ Susan Phillips	32
/s/ Scott A. Lipke	157
/s/ James Viebrock	134
/s/ Richard Byrd	94
/s/ Mark Bruns	113
/s/ Rob Schaaf	28
/s/ Gary Dusenberg	54
/s/ Bryan Stevenson	128
/s/ Dr. Charles Portwood	92
/s/ Carl Bearden	16
/s/ Ron Richard	129
/s/ Brad Lager	4
/s/ Bob Dixon	140
/s/ Otto Bean, Jr.	163
/s/ Jason R. Brown	30
/s/ Jack A.L. Goodman	132
/s/ Todd Smith	118
/s/ Jodi Stefanick	93
/s/ Kevin Threlkeld	109
/s/ Will Kraus	48
/s/ Allen Icet	84
/s/ Brian Baker	123
/s/ Brad Roark	139
/s/ Jim Guest	5
/s/ Robert Thane Johnson	47
/s/ Paul LeVota	52
/s/ Brian Yates	56
/s/ James W. Lembke	85
/s/ Mike Sutherland	99
/s/ Bryan Pratt	55
/s/ Gayle Kingery	154
/s/ Rod Jetton	156
/s/ Shannon Cooper	120
/s/ Steven Tilley	106

/s/ David Pearce	121
/s/ Steve Hobbs	21
/s/ Frank A. Barnitz	150
/s/ Thomas A. Villa	108
/s/ Terry Young	49
/s/ Sherman Parker	12
/s/ Clint Zweifel	78
/s/ Jenee Lowe	44
/s/ Tom George	74
/s/ Wes Wagner	104
/s/ Doug Ervin	35
/s/ Brian Munzlinger	1
/s/ Steve Hunter	127
/s/ Tom Dempsey	18
/s/ Vicki Schneider	17
/s/ Trent Skaggs	31
/s/ Charles Schlottach	111

Mr. Speaker: Your Committee on Ethics, to which was referred the **Missouri Legislative Black Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

DATE: January 20, 2005

TO: Representative Tom Dempsey, President
House Ethics Committee

FROM: Representative Melba J. Curls

RE: Missouri Legislative Black Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo. 1998 and the rules of the Missouri House of Representatives, a listing of members of the 93rd General Assembly's House of Representatives Missouri Legislative Black Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-3158.

Senator

/s/ Maida J. Coleman
/s/ Rita Heard Days
/s/ Yvonne S. Wilson

Representative

/s/ Melba J. Curls
/s/ Connie L. Johnson
/s/ Esther Haywood
/s/ Yaphett El-Amin
/s/ Leonard Hughes, IV
/s/ John L. Bowman
/s/ Juanita Walton
/s/ Craig Bland

/s/ Amber Boykins
/s/ Sharon Sanders Brooks
/s/ Robin Wright-Jones
/s/ Rodney R. Hubbard
/s/ Theodore Hoskins
/s/ Sherman Parker
/s/ Maria Chappelle-Nadal
/s/ Martin T. Rucker
/s/ Michael Brown

Mr. Speaker: Your Committee on Ethics, to which was referred the **Rotunda Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Ethics Committee Chairman
FROM: Representative Bruce Darrough
DATE: January 12, 2005
RE: Rotunda Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo 2002, we are listing the following members of the General Assembly as members of the Rotunda Caucus.

Representative	District
/s/ Bruce Darrough	75
/s/ Michael G. Corcoran	77
/s/ Al Liese	79
/s/ Terry Young	49
/s/ Sam Page	82
/s/ Michael Spreng	76
/s/ Thomas George	74
/s/ Gina Walsh	69
/s/ Curt Dougherty	53
/s/ Michael R. Brown	50
/s/ Sue Schoemehl	100

Mr. Speaker: Your Committee on Ethics, to which was referred the **Rural Democrat Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Chairman, Ethics Committee
FROM: Wayne J. Henke
RE: Rural Democrat Caucus
DATE: January 24, 2005

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of members of the 93rd General Assembly's Rural Democrat Caucus is attached.

Please consider this as a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at 573-751-9459 if you have any questions.

Representative	District
/s/ Joe Aull	26
/s/ Rachel L. Bringer	6
/s/ Ron Casey	103
/s/ Belinda Harris	110
/s/ Sara Lampe	138
/s/ Jeff Roorda	102
/s/ Martin T. Rucker	29
/s/ Harold R. Selby	105
/s/ Terry Swinger	162
/s/ Ed Wildberger	27
/s/ Frank A. Barnitz	150
/s/ Michael Brown	50
/s/ Curt Dougherty	53
/s/ Wayne Henke	11
/s/ J.C. Kuessner	152
/s/ Brad Robinson	107
/s/ Ray Salva	51
/s/ Wes Shoemyer	9
/s/ Jim Whorton	3
/s/ Terry L. Witte	10

Mr. Speaker: Your Committee on Ethics, to which was referred the **St. Louis County Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey
House Ethics Committee

FROM: Representative Kathlyn Fares

DATE: January 12, 2005

RE: St. Louis County Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 2000 and the rules of the Missouri House of Representatives, a listing of members of the 93rd General Assembly's House of Representatives' St. Louis County Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-1285 if you have any questions concerning this caucus.

Representative	District
/s/ Michael Spreng	76
/s/ Michael G. Corcoran	77

/s/ Clint Zweifel	78
/s/ Al Liese	79
/s/ Theodore Hoskins	80
/s/ Juanita Head Walton	81
/s/ Sam Page	82
/s/ Barbara Fraser	83
/s/ Allen Icet	84
/s/ James W. Lembke	85
/s/ Jane Cunningham	86
/s/ T. Scott Muschany	87
/s/ Neal St. Onge	88
/s/ Jack Jackson	89
/s/ Kathlyn Fares	91
/s/ Dr. Charles R. Portwood	92
/s/ Jodi A. Stefanick	93
/s/ Richard Byrd	94
/s/ Patricia M. Yaeger	96
/s/ Walt Bivins	97
/s/ Sue Schoemehl	100
/s/ Harold R. Selby	105
/s/ Rachel Storch	64
/s/ Michael Vogt	66
/s/ Gina Walsh	69
/s/ John L. Bowman	70
/s/ Esther Haywood	71
/s/ Maria Chappelle-Nadal	72
/s/ Margaret Donnelly	73
/s/ Thomas “Tom” George	74
/s/ Bruce Darrough	75

Senator	District
/s/ Harry Kennedy	1
/s/ John Loudon	7
/s/ Timothy P. Green	13
/s/ Rita H. Days	14
/s/ Michael R. Gibbons	15
/s/ Joan Bray	24
/s/ John E. Griesheimer	26

Mr. Speaker: Your Committee on Ethics, to which was referred the **Second Floor Extended Democratic Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey

FROM: Representative Jenee Lowe

RE: Second Floor Extended Democratic Caucus

DATE: January 31, 2005

Pursuant to 105.473.3(2)(c)d, RSMo, 2000 and the Rules of the Missouri House of Representatives, a listing of the members of the Second Floor Extended Democratic Caucus of the 93rd General Assembly is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly fined and approved caucus of the General Assembly.

Representative	District
/s/ Melba Curls	41
/s/ Thomas E. George	74
/s/ Sara Lampe	138
/s/ Jenee Lowe	44
/s/ Trent Skaggs	31
/s/ Michael Vogt	66
/s/ Gina Walsh	69
/s/ Mike Daus	67
/s/ Jeff Harris	23
/s/ Beth Low	39
/s/ Kate Meiners	46
/s/ Thomas A. Villa	108
/s/ Wes Wagner	104
/s/ Terry Young	49

Mr. Speaker: Your Committee on Ethics, to which was referred the **West Central Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Tom Self
West Central Caucus Chairman

DATE: January 19, 2005

RE: West Central Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives West Central Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-3971 if you have any questions concerning this caucus organization.

Representative	District
/s/ Tom Self	116
/s/ Todd Smith	118
/s/ Shannon Cooper	120
/s/ Mike McGhee	122
/s/ Rex Rector	124
/s/ Ed Emery	126
/s/ Kenny Jones	117
/s/ Larry Wilson	119
/s/ David Pearce	121
/s/ Brian Baker	123

/s/ Barney Fisher	125
/s/ Mike Parson	133

Senator	District
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/s/ Delbert Scott	28
/s/ Chris Koster	31

Mr. Speaker: Your Committee on Ethics, to which was referred the **Western Missouri Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Stephen Davis; Chief Clerk

FROM: Representative Jason Brown

DATE: January 12, 2005

RE: Western Missouri Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives Western Missouri Caucus is attached.

Please consider this memorandum a formal application to the Committee on Ethics to approve this Caucus to be recognized as a duly filed and approved Caucus of the General Assembly.

Representative	District
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/s/ Brian Baker	123
/s/ Jason R. Brown	30
/s/ Gary Dusenberg	54
/s/ Doug Ervin	35
/s/ Tim Flook	34
/s/ Jim Guest	5
/s/ Robert Thane Johnson	47
/s/ Will Kraus	48
/s/ Brad Lager	4
/s/ Bob Nance	36
/s/ Jerry Nolte	33
/s/ David Pearce	121
/s/ Susan Phillips	32
/s/ Bryan Pratt	55
/s/ John Quinn	7
/s/ Rob Schaaf	28
/s/ Brian Yates	56
/s/ Mike McGhee	122
/s/ Todd Smith	118
/s/ Jodi Stefanick	93
/s/ Mike Sutherland	99

Mr. Speaker: Your Committee on Ethics, to which was referred the **Western Missouri River Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
 Ethics Committee

FROM: Representative Trent Skaggs

DATE: January 25, 2005

SUBJECT: Western Missouri River Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo., I would like to request a hearing and approval for the Western Missouri River Caucus.

A listing of the members of the 93rd General Assembly for the Western Missouri River Caucus is attached.

Representative	District
/s/ Jenee Lowe	44
/s/ Cathy Jolly	45
/s/ Trent Skaggs	31
/s/ Terry Young	49
/s/ John Burnett	40
/s/ Paul LeVota	52
/s/ Kate Meiners	46
/s/ Curt Dougherty	53
/s/ Beth Low	39
/s/ Mike Brown	50
/s/ Jonas Hughes	42
/s/ Bob Johnson	47
/s/ Martin Rucker	29
/s/ Joe Aull	26

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 442, introduced by Representatives Pratt, Dusenberg, Yates, Brown (30) and Nieves, relating to possession of video games in correctional centers.

HB 443, introduced by Representatives Sander, Smith (118), Munzlinger, Moore, Cunningham (86), Fisher, Chinn and Hobbs, relating to public school retirement.

HB 444, introduced by Representative Smith (14), relating to fire protection districts.

HB 445, introduced by Representatives Guest and Whorton, relating to codification of municipal ordinances.

HB 446, introduced by Representatives Guest, Myers, Sater, Whorton, Dougherty, Denison, Wildberger, Munzlinger, Harris (110), Roorda, Daus, Hoskins and McGhee, relating to the work for restitution program.

HB 447, introduced by Representatives Hobbs, Robb and Smith (118), relating to statutory procedure for proposed annexations.

HB 448, introduced by Representatives Villa, Johnson (61), Kratky, Vogt, Oxford, El-Amin, Wright-Jones, Daus, Boykins, Hubbard and Storch, relating to pay for police officers.

HB 449, introduced by Representative Meiners, relating to sales tax exemptions.

HB 450, introduced by Representative Meiners, relating to wine.

HB 451, introduced by Representatives Denison, Fisher, Weter, Schlottach, Wright (159), Jones, Viebrock, Kingery, Pollock, Wells, Sater, McGhee, Emery, Cunningham (145), Lampe, Wood, Chinn and Wilson (119), relating to highway signs honoring Governor Matt Blunt.

HB 452, introduced by Representatives Roark, Kelly, Lembke, Baker (123), Ervin, Wood, Dusenberg, Sander, Rector and Cunningham (86), relating to covenant marriage.

HB 453, introduced by Representatives May, Wildberger, Denison and Hobbs, to authorize the governor to convey property owned by the state in the county of Phelps.

HB 454, introduced by Representatives Chinn, Myers, Hobbs, Sander, Franz, Nance, Jones, Munzlinger, Loehner, Schad, Sater, Pollock, Quinn, Faith and Denison, relating to the Missouri qualified biodiesel producer incentive fund.

HB 455, introduced by Representatives Quinn, Myers, Bean, Kelly, Swinger, Hunter, Viebrock, Bearden, Black, Brown (30), Jackson, Sander, Faith, Emery, Hobbs, Rector, Guest, Jones, Chinn and Kuessner, relating to watershed districts.

HB 456, introduced by Representatives Kuessner, Barnitz, Robinson, Shoemyer, Henke, Witte, Schlottach, Viebrock, Nieves, Harris (110), Yaeger, Kratky, Denison, Wildberger, Salva, Sutherland, Kingery, Deeken, Bringer and Quinn, relating to duties of grand juries.

HB 457, introduced by Representatives Lembke, Portwood, Harris (110), Wright (137), Meadows, Davis, Bringer, Goodman, Nieves, Cooper (155), Emery, Dixon, Ervin, Rupp, Phillips, Moore, Brown (30), Dusenberg, Cooper (158), Sander, Loehner, Cunningham (86), Myers, Roark, Muschany, Schad, Stevenson, Bivins, Baker (123), Selby, Wood, Parker, Kratky, Day, Wilson (119), Cunningham (145), Liese, Yaeger, Bean, Black, Munzlinger, Deeken, Guest, Nance, Rector, Wilson (130), Wagner, Wells, Viebrock, Henke, Fisher, Icet, Swinger, Bruns, Pollock, Meiners, Schoemehl, McGhee, Lipke, George, Wasson, Dougherty, Pratt, Barnitz, Tilley, Casey, Denison, Ruestman, Yates, Sater, Kuessner, Self, Wright (159), Kraus, Marsh, Schlottach, Smith (118), Dethrow, Jones and Meiners, relating to human cloning.

HB 458, introduced by Representatives Rupp, Roorda, Dusenberg, Nieves, Sutherland, Lembke, Rector, Bringer, Portwood, Bruns, Faith, Threlkeld, Kelly, Pratt, Jolly, Johnson (90), Kingery, Meadows, Darrough, Vogt, Corcoran, Smith (14), Yaeger, Skaggs, Walsh, George, Lowe (44), Wagner, Wildberger, Bland, Burnett, Storch, Haywood, Aull, Selby, Robinson, Spreng, Liese,

Henke, Baker (123), Dempsey, Wilson (130), Hobbs, Bean, Dixon and Sander, relating to law enforcement retirement.

HB 459, introduced by Representatives Goodman, Wilson (119), Sater, Munzlinger, Darrough, Whorton, Brown (30), Sander, Daus, Moore and Brown (50), relating to mortgages.

HB 460, introduced by Representatives Bivins, Lembke, Portwood and Schoemehl, relating to strategic litigation against public participation.

HB 461, introduced by Representatives Sutherland and Smith (118), relating to assessment of business personal property.

HB 462, introduced by Representatives Smith (118), Johnson (61), Byrd, Smith (14), Fraser, Yaeger, Schoemehl, Whorton, Denison and Sutherland, relating to immunity from civil liability for the provision of emergency care.

HB 463, introduced by Representatives Smith (118), Johnson (61), Smith (14), Byrd, Fraser, Yaeger, Schoemehl and Whorton, relating to disclosure of mental health information.

HB 464, introduced by Representatives Smith (118), Cunningham (86) and Denison, relating to high school cooperative sponsorships.

HB 465, introduced by Representatives Smith (118) and Denison, relating to county planning commissions.

COMMITTEE ASSIGNMENTS

SPECIAL COMMITTEE ON EDUCATION FUNDING

Baker, Brian - Chair

Wallace, Maynard - Vice-Chair

Aull, Joe

Bearden, Carl

Brooks, Sharon Sanders

Corcoran, Michael

Denison, Charlie

El-Amin, Yaphett

Fares, Kathlyn

Hughes, Leonard (Jonas)

Icet, Allen

Johnson, Bob

Kingery, Gayle

Kuessner, J.C.

Muschany, Scott

Pearce, David

Robb, Ed

Sander, Therese
Schoemehl, Sue
Sutherland, Mike
Swinger, Terry
Walton, Juanita
Wilson, Kevin

SPECIAL COMMITTEE ON URBAN ISSUES

Hoskins, Ted - Chair

Hubbard, Rodney - Vice-Chair
Bland, Craig
Deeken, Bill
El-Amin, Yaphett
Fares, Kathlyn
Flook, Tim
Johnson, Bob
Muschany, Scott
Parker, Sherman
Rupp, Scott
Wright-Jones, Robin
Yates, Brian

MESSAGES FROM THE GOVERNOR

Office of the Governor
State of Missouri

February 2, 2005

REORGANIZATION PLAN NO. 2 2005

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 2 of 2005, by Executive Order 05-08, to abolish the Division of Design and Construction within the Office of Administration, assign its responsibilities and functions to the Division of Facilities Management within the Office of Administration, and rename the Division of Facilities Management as the Division of Facilities Management, Design and Construction.

Respectfully submitted,

/s/ Matt Blunt

EXECUTIVE ORDER 05-08

WHEREAS, the Division of Design and Construction within the Office of Administration was created by Section 8.120, RSMo, to supervise the design, construction, renovations and repair of state facilities; and

WHEREAS, the Division of Facilities Management within the Office of Administration was established by Executive Order 94-07 and Section 8.110, RSMo, to have responsibility for state leasing and facilities management; and

WHEREAS, prior to 1994, responsibility for state leasing and facilities management resided with the Division of Design and Construction within the Office of Administration; and

WHEREAS, the consolidation of the Division of Facilities Management and the Division of Design and Construction will benefit the citizens of the State of Missouri by promoting efficiency, avoiding duplication of services, and reducing costs; and

WHEREAS, the Governor, in consultation with the Commissioner of Administration, has determined that the best way to accomplish this consolidation is to abolish Division of Design and Construction and transfer its responsibilities and functions to the Division of Facilities Management.

NOW, THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Article IV, Section 12, Missouri Constitution, Chapter 26, RSMo, and the Omnibus State Reorganization Act of 1974, hereby:

1. Abolish the Division of Design and Construction and transfer to the Division of Facilities Management the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Design and Construction; and
2. Rename the Division of Facilities Management as the Division of Facilities Management as the Division of Facilities Management, Design and Construction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 2nd day of February, 2005.

/s/ Matt Blunt
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

Office of the Governor
State of Missouri

February 2, 2005

**REORGANIZATION PLAN NO. 3
2005**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 3 of 2005, by Executive Order 05-09, providing for the transfer of the Missouri Head Injury Advisory Council from the Office of Administration to the Department of Health and Senior Services.

Respectfully submitted,

/s/ Matt Blunt

EXECUTIVE ORDER
05-09

WHEREAS, the Missouri Head Injury Advisory Council was established in 1985 by Executive Order 85-06; and

WHEREAS, in 1986 the General Assembly gave the Missouri Head Injury Advisory Council statutory authority (Section 192.745, RSMo); and

WHEREAS, Section 192.745.2, RSMo assigned the Missouri Head Injury Advisory Council to the Division of General Services within the Office of Administration; and

WHEREAS, the Missouri Head Injury Advisory Council's responsibilities include promoting discussion of reducing the debilitating effects of head injuries and disseminates information on the prevention and rehabilitation of persons affected by head injuries, studies current prevention, treatment and rehabilitation technologies and recommends appropriate preparation and distribution of resources to provide services to head injured persons through private and public residential facilities, day programs and other specialized services, and recommending methods to improve the state's service delivery system and developing standards for funding or licensing of facilities, day programs and other specialized services; and

WHEREAS, the Department of Health and Senior Services' mission is to protect and promote the quality of life and health for all Missourians by developing and implementing programs and systems that provide information and education, effective regulation and oversight, quality services, and surveillance of diseases and conditions; and

WHEREAS, the Office of Administration and the Department of Health and Senior Services, with the consent of the Governor, have determined that the Missouri Head Injury Advisory Council should be assigned to Department of Health and Senior Services.

NOW THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Article IV, Section 12, Missouri Constitution, Chapter 26, RSMo, and the Omnibus State Reorganization Act of 1974, hereby transfer the Missouri Head Injury Advisory Council to the Department of Health and Senior Services by Type I transfer.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 2nd day of February, 2005.

/s/ Matt Blunt
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

The following members' presence was noted: Cooper (155) and Kratky.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday February 7, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 8, 2005, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 211, HB 267

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 4.

Public testimony for the Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 8, 2005, 2:45 p.m. Hearing Room 4.

Public testimony for the Department of Conservation.

APPROPRIATIONS - EDUCATION

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 1.

Presentations from the Coordinating Board for Higher Education and Higher Education Institutions.

APPROPRIATIONS - EDUCATION

Tuesday, February 8, 2005, 2:45 p.m. Hearing Room 1.

Presentations from Higher Education Institutions continued.

APPROPRIATIONS - EDUCATION

Wednesday, February 9, 2005, 2:45 p.m. Hearing Room 1.

Presentation from Linn State Technical College.

Public testimony on the First Steps Program.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 7.

Office of Administration - Public Debt, OA - Employee benefits,

OA - Department (first of two hearings).

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 7, 2005, 10:00 a.m. Hearing Room 3.

Public testimony and discuss organizational issues.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 3.

Overview Departments of Health, Mental Health, and Social Services.

Hearing will resume at 2:00 p.m.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 6.

Public testimony will be heard for each department.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 7, 2005, 12:00 p.m. Hearing Room 5.

Department of Transportation public testimony will be heard. AMENDED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 5.

Department of Economic Development public testimony will be heard. AMENDED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 8, 2005, 2:45 p.m. Hearing Room 5.

Department of Labor and Industrial Relations. AMENDED

BUDGET

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 3.

Organizational meeting and discuss supplemental budget.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 8, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow. This may be a long hearing as committee intends to hear all testimony at this time.

ELECTIONS

Tuesday, February 8, 2005, 6:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 107, HB 66

FINANCIAL INSTITUTIONS

Tuesday, February 8, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 248

JOINT COMMITTEE ON EDUCATION

Tuesday, February 8, 2005, 8:00 p.m. Senate Committee Room 1.

Initial discussion of Foundation Formula.

JOINT COMMITTEE ON SOLID WASTE TIPPING FEE DISTRIBUTION

Monday, February 7, 2005, 10:30 a.m. Hearing Room 1.

Discuss and finalize the committee's report.

JUDICIARY

Tuesday, February 8, 2005, 12:00 p.m. Hearing Room 7.

Anticipated length of hearing three (3) hours.

Public hearing to be held on: HB 393

LOCAL GOVERNMENT

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 58, HB 284, HB 250, HB 114, HB 283

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2005, 12:00 p.m. Hearing Room 1. AMENDED

Public hearings to be held on: HB 56, HB 295, HB 61

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

VETERANS

Wednesday, February 9, 2005, 8:00 a.m. Hearing Room 5.

Public hearing to be held on: HB 185

Executive session will be held on: HB 94, HB 119, HB 163, HB 213, HB 216

HOUSE CALENDAR

EIGHTEENTH DAY, MONDAY, FEBRUARY 7, 2005

HOUSE BILLS FOR SECOND READING

HB 442 through HB 465

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

EIGHTEENTH DAY, MONDAY, FEBRUARY 7, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father David Buescher.

On this Monday, this beginning of the week, Holy God, we praise Thy Name. For the good in our lives and our families, for the gifts Your generosity has deigned us, and for the work we are about to undertake for our state, we thank You.

May this week open for us joy in people and events, and a sense of accomplishment in what we undertake. Rain or shine, fast or feast, plenty or poverty, You are in us, with us, above us and between us. Continue to reign in these humble hearts, wherever these Your representatives find themselves this week. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventeenth day was approved as printed by the following vote:

AYES: 153

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Guest	Harris 110	Harris 23
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch

Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bland	Brooks	Cooper 155	Dougherty
Goodman	Hunter	LeVota	Meadows	

VACANCIES: 001

HOUSE CONCURRENT RESOLUTION

Representative Hoskins, et al., offered House Concurrent Resolution No. 18.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 372	-	Representative Hoskins
House Resolution No. 373	-	Representative Ruestman
House Resolution No. 374	-	Representative Franz
House Resolution No. 375	-	Representative Nance
House Resolution No. 376	-	Representative Oxford
House Resolution No. 377	-	Representative Casey
House Resolution No. 378	-	Representative Behnen
House Resolution No. 379	-	Representative Day
House Resolution No. 380	-	Representative Chappelle-Nadal
House Resolution No. 381	-	Representative Robb

SECOND READING OF HOUSE BILLS

HB 442 through **HB 465** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 371 - Retirement

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 466, introduced by Representatives Wilson (130), Ruestman, Brown (30), Stevenson, Daus, Weter, Jackson and Page, relating to impounding vehicles.

HB 467, introduced by Representative Storch, relating to expenditures by lobbyists.

HB 468, introduced by Representatives Richard, Jetton, Hobbs, Myers, Munzlinger, Spreng, Cooper (120), Portwood, Schneider, Cunningham (145), Kuessner, Kratky, Yates, Lager, Wasson, Stefanick, Harris (23), Rector, Barnitz, Roark, Lembke, Bringer, Schlottach, Robinson, Henke, Jackson, Guest, Johnson (47), Nieves, McGhee, Byrd, Ruestman, Wilson (130), Stevenson, Flook, Bowman, Weter, Wood, Hunter, Pearce, Self, Pollock, May, Salva, Casey, Swinger, Kraus, Rupp, Chappelle-Nadal, Sater, Ervin, Page, Whorton, Dixon, Fisher, Dempsey, Brown (50), Roorda, Zweifel, Smith (118), Parker, Behnen, Icet, Dusenberg, Brown (30), Tilley, Witte, Moore and Cunningham (86), relating to the state treasurer.

HB 469, introduced by Representatives Sater, Darrough, Page, Wildberger, Wilson (119) and Denison, relating to motor vehicle warranties.

HB 470, introduced by Representative Deeken, relating to state employees.

HB 471, introduced by Representative Hunter, relating to wholesale distributors of prescription drugs.

HB 472, introduced by Representatives Sander, Phillips, Lowe (44), Harris (110), Chinn, Hobbs and Moore, relating to captioning of electronic video instructional materials.

HB 473, introduced by Representative Yates, relating to pupil residency waiver requests.

HB 474, introduced by Representatives Yates and Wilson (130), relating to right of intervention by insurers in certain civil actions.

MESSAGE FROM THE GOVERNOR

Office of the Governor
State of Missouri

February 3, 2005

REORGANIZATION PLAN NO. 4 2005

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 4 of 2005, by Executive Order 05-10, providing for the transfer of in-home service programs from the Department of Social Services and the Department of Elementary and Secondary Education to the Department of Health and Senior Services.

EXECUTIVE ORDER 05-10

WHEREAS, the Department of Elementary and Secondary Education is authorized pursuant to Article IX of the Missouri Constitution and created pursuant to Chapter 161.020, RSMo; and

WHEREAS, the Department of Social Services is created pursuant to Article IV, Section 37 of the Missouri Constitution and Chapter 660.010, RSMo; and

WHEREAS, the Department of Health and Senior Services is created pursuant to Chapter 192.005, RSMo; and

WHEREAS, the Department of Elementary and Secondary Education currently provides personal attendant care to individuals with severe physical disabilities to enable them to live more independently through the Personal Assistance Services Program; and

WHEREAS, the Department of Social Services currently provides access to health care for low-income elderly and disabled individuals through the Medicaid Program; and

WHEREAS, the Department of Health and Senior Services provides support services to help seniors and adults with disabilities maintain their independence and safety; and

WHEREAS, the transfer of in-home care programs and services to one state department would better serve the state's elderly and disabled clients; and

WHEREAS, consolidation of these services would increase efficiencies and eliminate duplication of efforts; and

WHEREAS, I am committed to integrating executive branch operations to improve the way the state delivers services.

NOW THEREFORE, I, Matt Blunt, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Article IV, Section 12, Missouri Constitution, Chapter 26, RSMo, and the Omnibus State Reorganization Act of 1974, hereby order the Missouri Department of Elementary and Secondary Education, the Missouri Department of Social Services, and the Missouri Department of Health and Senior Services to cooperate to:

1. Develop mechanisms and processes necessary to effectively transfer in-home services programs that serve the elderly and disabled individuals to the Department of Health and Senior Services;

2. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the in-home services programs to the Department of Health and Senior Services, by Type I transfer, as defined under the Reorganization Act of 1974; and
3. Take the steps necessary to maintain compliance with federal requirements, so as not to jeopardize federal financial participation with this consolidation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 3rd day of February, 2005.

/s/ Matt Blunt
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

The following members' presence was noted: Bland, Sanders Brooks, Hunter and Meadows.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, February 8, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 8, 2005, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 211, HB 267

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 4.

Public testimony for the Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 8, 2005, 2:45 p.m. Hearing Room 4.

Public testimony for the Department of Conservation.

APPROPRIATIONS - EDUCATION

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 1.

Presentations from the Coordinating Board for Higher Education and Higher Education Institutions.

APPROPRIATIONS - EDUCATION

Tuesday, February 8, 2005, 2:45 p.m. Hearing Room 1.

Presentations from Higher Education Institutions continued.

APPROPRIATIONS - EDUCATION

Wednesday, February 9, 2005, 2:45 p.m. Hearing Room 1.

Presentation from Linn State Technical College.

Public testimony on the First Steps Program.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 7.

Office of Administration - Public Debt, OA - Employee benefits,

OA - Department (first of two hearings).

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 8, 2005, 2:45 p.m. Hearing Room 7.

Office of Administration to be continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 9, 2005, 2:45 p.m. Hearing Room 7.

Budget to be reviewed: Department of Revenue

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 3.

Overview Departments of Health, Mental Health, and Social Services.

Hearing will resume at 2:00 p.m.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 6.

Public testimony will be heard for each department.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 8, 2005, 8:00 a.m. Hearing Room 5.

Department of Economic Development public testimony will be heard. AMENDED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 8, 2005, 2:45 p.m. Hearing Room 5.

Department of Labor and Industrial Relations. AMENDED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 9, 2005, 2:45 p.m. Hearing Room 5.

Department of Insurance and Department of

Transportation public testimony to continue.

BUDGET

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 3.

Organizational meeting and discuss supplemental budget.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 9, 2005, 6:00 p.m. Hearing Room 1.

Public comment on the Missouri Department of Natural Resources.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 8, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

This may be a long hearing as committee intends to hear all testimony at this time.

Public hearing to be held on: HB 441

ELECTIONS

Tuesday, February 8, 2005, 6:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 107, HB 66

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 9, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 87, HB 153

FINANCIAL INSTITUTIONS

Tuesday, February 8, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 248

HEALTH CARE POLICY

Wednesday, February 9, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 217, HB 82

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 9, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 226, HB 135

JOINT COMMITTEE ON EDUCATION

Tuesday, February 8, 2005, 8:00 p.m. Senate Committee Room 1.

Initial discussion of Foundation Formula.

JUDICIARY

Tuesday, February 8, 2005, 12:00 p.m. Hearing Room 7.

Anticipated length of hearing three (3) hours.

Public hearing to be held on: HB 393

LOCAL GOVERNMENT

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 58, HB 284, HB 250, HB 114, HB 283

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2005, 12:00 p.m. Hearing Room 1. AMENDED

Public hearings to be held on: HB 56, HB 295, HB 61

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

TRANSPORTATION

Wednesday, February 9, 2005, 8:00 a.m. Hearing Room 1. CANCELLED

Public hearings to be held on: HB 218, HB 262

VETERANS

Wednesday, February 9, 2005, 8:00 a.m. Hearing Room 5.

Public hearing to be held on: HB 185

Executive session will be held on: HB 94, HB 119, HB 163, HB 213, HB 216

WAYS AND MEANS

Wednesday, February 9, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 181, HB 186, HB 63, HB 92

HOUSE CALENDAR

NINETEENTH DAY, TUESDAY, FEBRUARY 8, 2005

HOUSE BILLS FOR SECOND READING

HB 466 through HB 474

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

NINETEENTH DAY, TUESDAY, FEBRUARY 8, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father David Buescher.

Communicator God

When I come to You, with deep concerns You never silence me.

And when I risk telling You my most immediate thoughts and fears, You do not patronize me nor push me aside.

But You are God and not man. It is often with other persons that I have to deal in life.

Help me in all my dealings with these to remember that they too have need to communicate underneath their fragile ego and brokenness.

And it is before YOU and not them that I ultimately stand and find my true worth. Amen.

(Unknown author)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Keith Stewart, Kaila Jensen, Marissa Jensen, Bryce Jensen, Emily Jensen, Josiah Jensen, Lydia Jensen, Nathaniel Jensen, Philip Jensen, Quincy Jensen, Kira Moffet, Camden Moffet and Krista Masterson.

The Journal of the eighteenth day was approved as printed by the following vote:

AYES: 159

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George

Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Cooper 155 Goodman

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 382	-	Representative Cunningham (145)
House Resolution No. 383	-	Representative Bivins
House Resolution No. 384	-	Representative Cunningham (145)
House Resolution No. 385	-	Representative Chappelle-Nadal
House Resolution No. 386	-	Representative Franz
House Resolution No. 387	-	Representative Daus
House Resolution No. 388	-	Representative Nieves
House Resolution No. 389	-	Representative Richard, et al.
House Resolution No. 390	-	Representative Quinn
House Resolution No. 391	-	Representative Hunter
House Resolution No. 392	-	Representative Wright (159)
House Resolution No. 393	-	Representative Wright-Jones
House Resolution No. 394	-	Representative Schaaf
House Resolution No. 395	-	Representative Rector
House Resolution No. 396	-	Representative Viebrock
House Resolution No. 397	-	Representative Franz
House Resolution No. 398	-	Representative Swinger
House Resolution No. 399	-	Representative Wright-Jones

SECOND READING OF HOUSE BILLS

HB 466 through **HB 474** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 434 - Utilities

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 14, introduced by Representative Lager, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2005.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 475, introduced by Representative Sutherland, relating to landlords and tenants.

HB 476, introduced by Representatives Lowe (44), George, Wagner, Daus, Liese, Walsh, Vogt, Meiners, Burnett, Hughes, Bland, Fraser, Donnelly, Sanders Brooks, Villa, Low (39), Lampe, Haywood, Hoskins, Chappelle-Nadal, Storch, Curls, Oxford, Walton, Baker (25), Brown (50), Dougherty, Corcoran, Johnson (61), Young, Bowman, Zweifel, Wright-Jones, Spreng, Kratky, Hubbard, Boykins, Jolly, Johnson (47) and Schneider, relating to human rights.

HB 477, introduced by Representatives Bean, Wallace, Wood, Kingery, Myers and Kelly, relating to the prevailing wage.

HB 478, introduced by Representative Wood, relating to regulation of water and sewer systems.

HB 479, introduced by Representative Ervin, relating to regional recreational districts.

HB 480, introduced by Representative Cooper (158), relating to reporting and investigating of death by a coroner.

HB 481, introduced by Representatives Yates, Pratt and Dusenberg, relating to notice of elections.

HB 482, introduced by Representative Dixon, relating to architects, professional engineers, and land surveyors.

COMMITTEE REPORT

Committee on Financial Institutions, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 248**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

The following member's presence was noted: Goodman.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, February 9, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Wednesday, February 9, 2005, 2:45 p.m. Hearing Room 3.
Presentation from Linn State Technical College.
Public testimony on the First Steps Program. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 9, 2005, 2:45 p.m. Hearing Room 7.
Budget to be reviewed: Department of Revenue

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 9, 2005, 2:45 p.m. Hearing Room 5.
Department of Insurance, Department of Transportation public
testimony to continue.

BUDGET

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 3.
Organizational meeting and discuss supplemental budget.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 9, 2005, 6:00 p.m. Hearing Room 1.
Public comment on the Missouri Department of Natural Resources.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 9, 2005, 8:00 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 87, HB 153

HEALTH CARE POLICY

Wednesday, February 9, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 217, HB 82

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 9, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 226, HB 135

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, February 10, 2005, 12:00 p.m. Senate Lounge.

Organizational. Meeting to be held at noon or upon adjournment of both Chambers.

Executive session may or may not follow.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, February 10, 2005, 9:00 a.m. Hearing Room 7.

Organizational meeting and educational session.

JUDICIARY

Wednesday, February 9, 2005, 6:00 p.m. Hearing Room 6.

Executive session to follow.

Public hearing to be held on: HB 393

LOCAL GOVERNMENT

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 58, HB 284, HB 250, HB 114, HB 283

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 9, 2005, 12:00 p.m. Hearing Room 1. AMENDED

Public hearings to be held on: HB 56, HB 295, HB 61

RETIREMENT

Wednesday, February 9, 2005, 6:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 225, HB 234, HB 263, HB 371

RULES

Thursday, February 10, 2005, 9:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HCR 17, HCS HB 297

SENIOR CITIZEN ADVOCACY

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 141, HB 230, HB 231

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.
Presentation of the annual report by the Tourism Commission.

TRANSPORTATION

Wednesday, February 9, 2005, 8:00 a.m. Hearing Room 1. CANCELLED
Public hearings to be held on: HB 218, HB 262

UTILITIES

Wednesday, February 9, 2005, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: HB 434

VETERANS

Wednesday, February 9, 2005, 8:00 a.m. Hearing Room 5.
Public hearing to be held on: HB 185
Executive session will be held on: HB 94, HB 119, HB 163, HB 213, HB 216

WAYS AND MEANS

Wednesday, February 9, 2005, 6:00 p.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HB 181, HB 186, HB 63, HB 92

HOUSE CALENDAR

TWENTIETH DAY, WEDNESDAY, FEBRUARY 9, 2005

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 14 - Lager

HOUSE BILLS FOR SECOND READING

HB 475 through HB 482

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, FEBRUARY 9, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Lanie Black.

Father, we praise You for the freedom You have afforded us in this country. We pray that we in this building will be proper guardians of that freedom. We must inspire the people who are citizens of this state as we struggle to resolve the problems of our budget. Compliance will be difficult and we pray for Your wisdom and guidance as we seek to effect the compromises that will be required.

Thank You very much for loving us and watching over us. Give us good days as legislators.

In Your Son's name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: McKenzie Ingram and Ryan Fiedler.

The Journal of the nineteenth day was approved as printed by the following vote:

AYES: 156

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock

Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	Storch
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Cooper 155	Dethrow	St. Onge	Sutherland
Yates				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 400	
and	
House Resolution No. 401	- Representative Wilson (130)
House Resolution No. 402	- Representative Jolly
House Resolution No. 403	
through	
House Resolution No. 409	- Representative Phillips
House Resolution No. 410	- Representative Loehner
House Resolution No. 411	- Representative Quinn
House Resolution No. 412	- Representative Wasson
House Resolution No. 413	- Representative Burnett
House Resolution No. 414	- Representative Salva
House Resolution No. 415	- Representatives Wildberger and Bruns
House Resolution No. 416	- Representative Wilson (119)
House Resolution No. 417	- Representative Witte
House Resolution No. 418	- Representative St. Onge, et al.
House Resolution No. 419	- Representative St. Onge
House Resolution No. 420	- Representative Bruns
House Resolution No. 421	- Representative Phillips
House Resolution No. 422	- Representative Tilley
House Resolution No. 423	- Representative Brown (30)
House Resolution No. 424	
and	
House Resolution No. 425	- Representative Dougherty
House Resolution No. 426	- Representative Roorda

House Resolution No. 427 - Representative LeVota
House Resolution No. 428 - Representative Richard
House Resolution No. 429
and
House Resolution No. 430 - Representative Parson

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 14 was read the second time.

SECOND READING OF HOUSE BILLS

HB 475 through **HB 482** were read the second time.

SPECIAL RECOGNITION

Patrick Page, a member of the String Orchestra from the Webster University Community Music School, was introduced by Speaker Jetton and Representative Wright-Jones.

Mr. Page performed a musical selection on the viola.

REFERRAL OF HOUSE BILL - APPROPRIATIONS

The following House Bill was referred to the Committee indicated:

HB 14 - Budget

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 441**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 119**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 14, introduced by Representatives Brown (30), Nolte, Threlkeld, Goodman, Chinn, Sander, Dusenberg, Deeken, Kraus, Hunter, Nieves, Smith (14), Portwood, Lembke, Flook, McGhee, Cooper (120), Sutherland and Yates, relating to term limits.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 483, introduced by Representative Storch, relating to members of the general assembly.

HB 484, introduced by Representative Sander, relating to reimbursement of county expenses for prosecution of certain crimes.

HB 485, introduced by Representatives Sander, Schlottach, Deeken, Smith (118), Cunningham (145) and Cooper (158), relating to county budgets.

HB 486, introduced by Representative Bruns, relating to service providers for sexual offender treatment for probationers.

HB 487, introduced by Representatives Bruns and Deeken, relating to emergency vehicles.

HB 488, introduced by Representatives Bruns and Deeken, relating to Missouri capitol police officers' powers.

HB 489, introduced by Representatives Meadows, Selby, Casey, Roorda, Pratt, Schoemehl, Jolly and Jackson, relating to failure to yield to emergency vehicles.

HB 490, introduced by Representatives Daus, Henke, Bowman, Smith (14), Young, Kuessner, Meadows, Schlottach, Munzlinger, Black and Threlkeld, relating to memorial highway designations.

HB 491, introduced by Representatives McGhee, Hunter, Kuessner, Bivins, Wagner, Quinn, May, Stevenson, Bean, Wright (137), Kingery, Wright (159), Moore, Myers, Henke, Pratt, Kraus, Guest, Dusenberg, Fisher, Deeken, Myers, Kelly, Nance, Day, Flook and Wells, relating to the Missouri state park board.

HB 492, introduced by Representatives Barnitz, Jetton, Kelly, Shoemyer, Bringer, Schlottach, Harris (110), Robinson, Dethrow, Wagner, Myers, Threlkeld and Wells, relating to the regulation of water and sewer systems.

HB 493, introduced by Representatives Bowman, Villa, Daus, Wagner, Oxford, Schneider, George, Kratky, Hubbard, Low (39), Harris (23), Johnson (90), Sater, Johnson (61), Wright-Jones, Rucker, Meadows, Casey, Boykins, Sanders Brooks, Hoskins, Zweifel, Bland, Walsh, Selby, Lowe (44), Storch, Hughes, Darrough and Bearden, relating to state employee disclosures.

HB 494, introduced by Representatives Oxford, Casey, Roorda, Hughes, Fraser, Walton, Lampe, Hoskins, Chappelle-Nadal, Low (39), Hubbard, Boykins and Storch, relating to prevention, screening, and treatment of lead poisoning.

HB 495, introduced by Representative Roark, relating to mechanics liens.

HB 496, introduced by Representative Cooper (120), relating to the use of tax information for purposes of determining health insurance eligibility.

HB 497, introduced by Representatives St. Onge, Johnson (47), Bivins, Byrd and Kratky, relating to environmental regulation.

HB 498, introduced by Representatives Kratky, Vogt, Richard, Johnson (61), Cunningham (86), Bringer, Swinger, Wright-Jones, Daus, Schoemehl, Villa, Page, Meadows, Roorda, Chappelle-Nadal, Walsh, Wildberger, Bowman, Dougherty, Oxford, Yaeger, Storch, Hubbard, Cooper (155), Donnelly, Darrough, Moore, Corcoran, Salva, Selby, Wood, Spreng, Johnson (47), Jolly, Liese, Kuessner, Jones, Icet, Schneider, Viebrock, El-Amin, Lowe (44) and Boykins, relating to stealing.

HB 499, introduced by Representatives Pratt, Brown (30) and Phillips, relating to stealing leased property.

HB 500, introduced by Representatives Smith (118), Wilson (130), Roark, Hunter, Dethrow, Phillips, Lowe (44), George, Vogt, Walsh, Burnett, Guest, Fisher and Cunningham (86), relating to the transfer of employer accounts.

WITHDRAWAL OF HOUSE BILL

February 9, 2005

Mr. Steve Davis, Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Mr. Davis:

I respectfully request that **House Bill No. 467** pertaining to lobbyist expenditure reports be withdrawn. This bill was misdrafted, and does not fulfill its intended purpose.

Thank you for your consideration in this matter.

Sincerely,

/s/ Rachel Storch
District 64

The following members' presence was noted: Dethrow, Sutherland and Yates.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, February 10, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2005, 12:00 p.m. Hearing Room 6.

Public Safety budget presentations only.

Meeting will recess and reconvene upon adjournment.

BUDGET

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 3.

Organizational meeting and discuss Supplemental Budget.

Public hearing to be held on: HB 14. AMENDED

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, February 10, 2005, 12:00 p.m. Senate Lounge.

Organizational. Meeting to be held at noon or upon adjournment of both Chambers.

Executive session may or may not follow.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, February 10, 2005, 9:00 a.m. Hearing Room 7.

Organizational meeting and educational session.

LOCAL GOVERNMENT

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 58, HB 284, HB 250, HB 114, HB 283

LOCAL GOVERNMENT

Monday, February 14, 2005, Hearing Room 7 upon afternoon adjournment.

Work session on the following bills HB 58, HB 46, HB 47, HB 127, HB 215.

RULES

Thursday, February 10, 2005, 9:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HCR 17, HCS HB 297

SENIOR CITIZEN ADVOCACY

Thursday, February 10, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 141, HB 230, HB 231

SPECIAL COMMITTEE ON EDUCATION FUNDING

Monday, February 14, 2005, 6:00 p.m. Hearing Room 6.

Organizational - Informational only. Brief review of current formula.

Presentation of formula concepts of Joint Committee.

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 10, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 14

HOUSE BILLS FOR SECOND READING

HB 483 through HB 500

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 10, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father David Buescher.

Heavenly Father, Creator of all that is of this generative Earth, we take a moment to attune ourselves to Your presence. For many of us most of the time, You are the backdrop of our day. We seldom notice You except in great joy, in great pain, or in great need.

As our representatives endeavor to perceive Your gentle and powerful company behind and within this moment, may Your spirit of compassionate strength enable and empower the energy they expend and the work they do today. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twentieth day was approved as printed by the following vote:

AYES: 159

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 150	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118

Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Dusenberg Page

VACANCIES: 001

HOUSE CONCURRENT RESOLUTION

Representative Zweifel, et al., offered House Concurrent Resolution No. 19.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 431

through

- House Resolution No. 440 - Representative Dempsey, et al.
- House Resolution No. 441 - Representative Hobbs
- House Resolution No. 442 - Representative Dixon
- House Resolution No. 443 - Representative Wasson
- House Resolution No. 444 - Representative Franz
- House Resolution No. 445 - Representative Hobbs
- House Resolution No. 446

and

- House Resolution No. 447 - Representative Hunter
- House Resolution No. 448 - Representative Brown (30)
- House Resolution No. 449 - Representative Loehner
- House Resolution No. 450 - Representative Viebrock
- House Resolution No. 451 - Representative Black
- House Resolution No. 452 - Representative May
- House Resolution No. 453

and

- House Resolution No. 454 - Representative Dixon
- House Resolution No. 455 - Representative Quinn
- House Resolution No. 456 - Representative Pratt
- House Resolution No. 457 - Representative Witte
- House Resolution No. 458 - Representative Byrd
- House Resolution No. 459 - Representative Jackson, et al.
- House Resolution No. 460 - Representative Nolte
- House Resolution No. 461 - Representative Cooper (158)

House Resolution No. 462 - Representative Cunningham (145)
House Resolution No. 463 - Representative Guest
House Resolution No. 464 - Representative Cunningham (145)
House Resolution No. 465
and
House Resolution No. 466 - Representative Brown (30)
House Resolution No. 467
through
House Resolution No. 477 - Representative Cooper (120)
House Resolution No. 478 - Representative Cunningham (145)
House Resolution No. 479 - Representative Dethrow
House Resolution No. 480 - Representative Kingery

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 14 was read the second time.

SECOND READING OF HOUSE BILLS

HB 483 through **HB 500** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 297**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 11 - Rules
HR 12 - Rules
HR 96 - Rules
HR 134 - Rules
HR 163 - Rules
HR 193 - Rules
HR 222 - Rules
HR 298 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 3 - Rules
HCR 4 - Rules
HCR 9 - Rules
HCR 11 - Rules
HCR 12 - Rules
HCR 15 - Rules

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 1 - Elections
HJR 2 - Elections
HJR 3 - Conservation and Natural Resources
HJR 9 - Elementary and Secondary Education
HJR 12 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 30 - Insurance Policy
HB 32 - Job Creation and Economic Development
HB 33 - Conservation and Natural Resources
HB 34 - Elementary and Secondary Education
HB 35 - Elementary and Secondary Education
HB 36 - Children and Families
HB 45 - Local Government
HB 51 - Elementary and Secondary Education
HB 55 - Special Committee on Education Funding
HB 60 - Health Care Policy
HB 78 - Small Business
HB 79 - Elementary and Secondary Education
HB 80 - Insurance Policy
HB 83 - Crime Prevention and Public Safety
HB 84 - Insurance Policy
HB 91 - Local Government
HB 100 - Children and Families
HB 101 - Crime Prevention and Public Safety
HB 102 - Small Business
HB 106 - Elementary and Secondary Education
HB 110 - Senior Citizen Advocacy
HB 112 - Retirement

HB 116 - Agriculture Policy
HB 117 - Elections
HB 124 - Transportation
HB 128 - Special Committee on Education Funding
HB 129 - Special Committee on Education Funding
HB 130 - Conservation and Natural Resources
HB 134 - Utilities
HB 138 - Insurance Policy
HB 139 - Professional Registration and Licensing
HB 140 - Crime Prevention and Public Safety
HB 143 - Children and Families
HB 144 - Children and Families
HB 146 - Ways and Means
HB 149 - Elections
HB 151 - Crime Prevention and Public Safety
HB 157 - Conservation and Natural Resources
HB 160 - Ways and Means
HB 161 - Conservation and Natural Resources
HB 165 - Crime Prevention and Public Safety
HB 167 - Crime Prevention and Public Safety
HB 174 - Professional Registration and Licensing
HB 176 - Local Government
HB 179 - Local Government
HB 183 - Transportation
HB 187 - Children and Families
HB 192 - Conservation and Natural Resources
HB 195 - Retirement
HB 197 - Workforce Development and Workplace Safety
HB 198 - Insurance Policy
HB 199 - Elections
HB 202 - Insurance Policy
HB 204 - Senior Citizen Advocacy
HB 206 - Insurance Policy
HB 214 - Elections
HB 223 - Transportation
HB 224 - Ways and Means
HB 228 - Senior Citizen Advocacy
HB 232 - Health Care Policy
HB 233 - Crime Prevention and Public Safety
HB 238 - Retirement
HB 239 - Retirement
HB 241 - Insurance Policy
HB 242 - Ways and Means
HB 244 - Crime Prevention and Public Safety
HB 246 - Health Care Policy
HB 252 - Children and Families
HB 255 - Elections

- HB 265** - Small Business
- HB 266** - Judiciary
- HB 271** - Health Care Policy
- HB 274** - Elementary and Secondary Education
- HB 275** - Higher Education
- HB 280** - Elections
- HB 282** - Elementary and Secondary Education
- HB 286** - Special Committee on Urban Issues
- HB 287** - Judiciary
- HB 288** - Transportation
- HB 289** - Elementary and Secondary Education
- HB 291** - Ways and Means
- HB 294** - Veterans
- HB 296** - Ways and Means
- HB 299** - Workforce Development and Workplace Safety
- HB 303** - Agriculture Policy
- HB 305** - Agriculture Policy
- HB 307** - Transportation
- HB 311** - Professional Registration and Licensing
- HB 322** - Judiciary
- HB 327** - Retirement
- HB 333** - Retirement
- HB 334** - Retirement
- HB 338** - Utilities
- HB 342** - Local Government
- HB 343** - Local Government
- HB 344** - Local Government
- HB 345** - Local Government
- HB 347** - Local Government
- HB 350** - Ways and Means
- HB 351** - Crime Prevention and Public Safety
- HB 368** - Agriculture Policy
- HB 375** - Transportation
- HB 379** - Financial Institutions
- HB 380** - Local Government
- HB 381** - Local Government
- HB 385** - Transportation
- HB 389** - Crime Prevention and Public Safety
- HB 390** - Crime Prevention and Public Safety
- HB 395** - Local Government
- HB 398** - Transportation
- HB 399** - Utilities
- HB 402** - Professional Registration and Licensing
- HB 404** - Local Government
- HB 406** - Transportation
- HB 407** - Crime Prevention and Public Safety
- HB 409** - Judiciary

HB 410 - Transportation
HB 422 - Corrections and Public Institutions
HB 423 - Transportation
HB 426 - Workforce Development and Workplace Safety
HB 427 - Workforce Development and Workplace Safety
HB 428 - Workforce Development and Workplace Safety
HB 429 - Workforce Development and Workplace Safety
HB 430 - Crime Prevention and Public Safety
HB 433 - Utilities
HB 436 - Crime Prevention and Public Safety
HB 437 - Veterans
HB 438 - Special Committee on Urban Issues
HB 449 - Ways and Means
HB 450 - Local Government
HB 453 - Corrections and Public Institutions
HB 468 - Financial Institutions
HB 478 - Conservation and Natural Resources

COMMITTEE REPORT

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 393**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 501, introduced by Representatives Pratt, Munzlinger, Yates, Hobbs and Brown (30), relating to property taxes.

HB 502, introduced by Representative Munzlinger, relating to tourism tax on transient guests in hotels and motels.

HB 503, introduced by Representatives Sater, Whorton, Baker (25), Threlkeld, Cooper (155), Weter, Wright (159), Bowman, Ervin, Dempsey, Stefanick, Lampe and Faith, relating to physician assistants.

HB 504, introduced by Representatives Wood, Denison, Sater and Moore, relating to psychologist licensing.

HB 505, introduced by Representatives Johnson (47) and Villa, relating to Missouri wine.

HB 506, introduced by Representatives Lowe (44), George, Walsh, Donnelly, Spreng, Kratky, Harris (23), Jolly, Schoemehl, Young, Storch, Corcoran, Burnett, Meadows and Darrough, relating to oversight of public privatization contracts.

HB 507, introduced by Representatives Dougherty, Selby, Brown (30), LeVota, Salva, Spreng, Harris (110), Burnett, Wildberger, Dusenberg, Meadows, Young, Kelly and Rucker, relating to property assessments on homesteads.

HB 508, introduced by Representatives Pratt and Skaggs, relating to fuel storage.

HB 509, introduced by Representatives Smith (14), Smith (118), Roorda, Dougherty, Vogt, Daus, Munzlinger, Hunter, Ruestman, Johnson (47), Meiners, Moore, Schlottach, Wright-Jones, Schneider, Parker, Meadows and Lowe (44), relating to unfinished bottles of wine.

HB 510, introduced by Representatives Bruns, Hobbs, Dethrow, Bringer and Deeken, relating to hazardous waste.

HB 511, introduced by Representatives Stefanick, Parson, Jones, Wood, Behnen, Bruns, Pratt, Brown (30), Dusenberg, Goodman, Deeken, Wagner, Lipke and Sutherland, relating to possession, control, or consumption of a controlled substance.

HB 512, introduced by Representatives Smith (118) and Wilson (130), relating to employee information.

HB 513, introduced by Representatives Zweifel, Liese, Darrough, Corcoran and Spreng, relating to the designation of a certain highway.

HB 514, introduced by Representative Pratt, relating to cardiac automated external defibrillators in schools.

HB 515, introduced by Representative Wood, relating to tourism community enhancement districts.

HB 516, introduced by Representatives Hubbard, Chappelle-Nadal, Boykins, Lowe (44), Meiners, Bland, Daus, Bowman, Walsh, Low (39), Harris (110), Walton, Oxford, Sanders Brooks, Curls, Haywood, Hoskins, Fraser, Schoemehl, Spreng, Wright-Jones and El-Amin, relating to the death penalty.

HB 517, introduced by Representatives St. Onge, Schlottach, Bivins, Pearce, Sander, Munzlinger, Threlkeld, Moore, Storch, Whorton, Dusenberg and Yaeger, relating to expanding the membership of the highways and transportation commission.

HB 518, introduced by Representatives St. Onge, Sutherland, Moore, Munzlinger, Storch, Threlkeld, Whorton, Meadows, Brown (30), Dusenberg, Yaeger and Wilson (119), relating to highway work zone protection.

HB 519, introduced by Representatives Roark, Hunter, Goodman, Schneider, Threlkeld, Stevenson, Yates, Bearden and Wilson (130), relating to unemployment insurance.

HB 520, introduced by Representatives Fraser, Oxford, Bowman, Daus, Page, Wildberger, Johnson (61) and Low (39), relating to concealed carry endorsements.

HB 521, introduced by Representatives Fraser, Oxford, Bowman, Daus and Low (39), relating to criminally negligent storage of a firearm.

HB 522, introduced by Representatives Zweifel, Corcoran, Roorda, Darrough, Spreng, Jolly, Young, Meadows, Page, Whorton and Liese, relating to veterans.

HB 523, introduced by Representatives Zweifel, Chappelle-Nadal, Meadows, Yaeger, LeVota, Darrough, Whorton, Witte and Jolly, relating to nonpublic personal health information.

HB 524, introduced by Representatives May, Deeken, Moore, Donnelly and Witte, relating to lobbyist duties.

HB 525, introduced by Representatives May and Deeken, relating to ethics.

HB 526, introduced by Representatives Ruestman, Wilson (130), Wasson, Cunningham (145), Threlkeld, Deeken, Chinn, Brown (30) and Phillips, relating to involuntary manslaughter.

HB 527, introduced by Representatives Storch, Donnelly, Villa, Boykins, Johnson (61), Wright-Jones, Rucker and Shoemyer, relating to transferability of certain tax credits.

HB 528, introduced by Representative Cunningham (145), relating to motor fuel tax.

HB 529, introduced by Representatives Witte, Lampe, Wildberger, Donnelly, Young, Robinson, Barnitz, Roorda, Burnett, Baker (25), Spreng, Harris (110), Harris (23), LeVota, Jolly, Lowe (44), Aull, Kuessner, Dougherty, Henke, Whorton, Darrough, Zweifel, Swinger, Storch, Meadows, Fraser, Bowman, Yaeger and Oxford, relating to medical malpractice.

HB 530, introduced by Representatives Moore, Page, Stevenson, Smith (14), Munzlinger, Parker, Sander, Dixon, Wilson (130), Boykins, Darrough, Harris (110), Whorton, Daus, Walton, Lowe (44), Yaeger, Baker (25) and Schoemehl, relating to American Sign Language.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 1 & 130**, entitled:

An act to repeal sections 287.020, 287.040, 287.063, 287.067, 287.120, 287.128, 287.129, 287.143, 287.150, 287.170, 287.190, 287.197, 287.215, 287.380, 287.390, 287.420, 287.510, 287.550, 287.715, 287.800, 287.865 and 287.957, RSMo, and to enact in lieu thereof twenty-five new sections relating to workers' compensation, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 10 & 27**, entitled:

An act to repeal sections 195.017 and 195.417, RSMo, and to enact in lieu thereof two new sections relating to the sale of products containing pseudoephedrine and ephedrine, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Brown is no longer a member of the Veterans Committee.

Representative Chinn has been appointed a member of the Healthcare Policy Committee.

Representative Flook is no longer a member of the Special Committee on Urban Issues.

Representative Hughes is no longer a member of the Special Committee on Education Funding.

Representative Pratt has been appointed a member of the Special Committee on Urban Issues.

Representative Rucker has been appointed a member of the Special Committee on Education Funding.

Representative Stefanick is no longer is no longer a member of the Healthcare Policy Committee.

Representative Whorton has been appointed a member of the Veterans Committee.

Representative Wright (159) has been appointed a member of the Veterans Committee.

Representative Young is no longer a member of the Veterans Committee.

COMMUNICATION

February 10, 2005

Mr. Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Chief Davis:

In my previous disclosure letter, I had advised you that my employment was as “of counsel” to the law firm of Polsinelli, Shalton, Welte, Suelthaus P. C. I continue to be in the status “of counsel”. I have no ownership interest in this firm, and the fees earned by other attorneys in the firm do not impact my salary.

There are well over two hundred attorneys in this law firm, many of which may represent parties with an interest in proposed legislation. In the majority of these cases, I will not even be aware of this representation, as clients of my employer exceed ten thousand and change daily. I have become aware that some attorneys in my firm provide some legal representation to utilities that may be impacted by decisions made by the Missouri General Assembly. The representations exist in several states and change rapidly, so the identification of each attorney/client relationship cannot be specific.

To the extent that a particular piece of legislation directly impacts an entity, that I know to be a client of my firm, in a manner different than it impacts other similarly situated entities in that industry, I will abstain from voting on the proposal.

Should you have any questions, please feel free to contact me.

Sincerely,

/s/ Richard G. Byrd

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, February 14, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 4.

Department of Agriculture and Department of Natural Resources budget presentations.

APPROPRIATIONS - EDUCATION

Monday, February 14, 2005, 2:00 p.m. Hearing Room 1.

Presentation from the Department of Higher Education or the Department of Elementary and Secondary Education.

APPROPRIATIONS - EDUCATION

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 1.

Presentation from the Department of Higher Education or the Department of Elementary and Secondary Education.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 3.

Finish Department of Mental Health. Recess until evening adjournment.

Evening: Governor's recommendation regarding optional services and eligibility issues.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 16, 2005, Hearing Room 6 upon evening adjournment.

Discussion of provider taxes; home and community based services and nursing homes.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Monday, February 14, 2005, 12:00 p.m. Hearing Room 6.

Public Safety budget presentations only.

Meeting will recess and reconvene upon adjournment.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 6.

Corrections budget presentations only.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 5.

Department of Insurance.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2005, Hearing Room 4 upon afternoon adjournment.

Tax Credits.

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HJR 8

ETHICS

Monday, February 14, 2005, House Chamber south side gallery upon afternoon adjournment.

Approval of Caucuses. Executive session may be held.

HIGHER EDUCATION

Tuesday, February 15, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 264, HB 103

JOINT COMMITTEE ON EDUCATION

Tuesday, February 15, 2005, 7:00 p.m. Senate Committee Room 1.

Pursuant to Section 610.021, a vote may be taken to hold a closed meeting.

Representative Robb will give a presentation following closed session.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2005, Hearing Room 1 upon morning adjournment.

Organizational meeting and any other business.

LOCAL GOVERNMENT

Monday, February 14, 2005, Hearing Room 7 upon afternoon adjournment.

Work session on the following bills HB 58, HB 46, HB 47, HB 127, HB 215.

RULES

Monday, February 14, 2005, 2:00 p.m. Hearing Room 4.

Executive session may be held.

Public hearings to be held on: HB 248, HCS HB 119, HCS HB 441, HCS HB 393

SPECIAL COMMITTEE ON EDUCATION FUNDING

Monday, February 14, 2005, 6:00 p.m. Hearing Room 6.

Organizational - Informational only. Brief review of current formula.

Presentation of formula concepts of Joint Committee.

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

HOUSE CALENDAR

TWENTY-SECOND DAY, MONDAY, FEBRUARY 14, 2005

HOUSE BILLS FOR SECOND READING

HB 501 through HB 530

SENATE BILLS FOR SECOND READING

1 SS SCS SB 1 & 130

2 SCS SB 10 & 27

HOUSE CONCURRENT RESOLUTION

HCR 17, (2-10-2005) - Cooper (158)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-SECOND DAY, MONDAY, FEBRUARY 14, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, hear a just cause, give heed to our cry; give ear to our prayer, which is not from deceitful lips.

Wonderfully show to us Your loving kindness as we begin our work week. May our speech be humble not arrogant, concise not long-winded and impacting rather than self-serving.

We call upon You, O Lord, who is worthy to be praised. In our distress, we call upon You for help and find that You are a very present help in time of need.

Now may the grace of God rest and abide with each one of you...

In the wonderful name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rajaye Smith, Michelle Grubbs, Meagan Hall, Jessica Prather and Samantha Sellers.

The Journal of the twenty-first day was approved as corrected by the following vote:

AYES: 150

Aull	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Henke
Hobbs	Hoskins	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves

Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bland	Bowman	Boykins	Brooks
Curls	El-Amin	Haywood	Hubbard	Johnson 90
Stevenson	Walton			

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 481	-	Representative Bruns
House Resolution No. 482	-	Representative Vogt
House Resolution No. 483	-	Representative Kratky, et al.
House Resolution No. 484		
and		
House Resolution No. 485	-	Representative Bruns
House Resolution No. 486	-	Representatives Bruns and Schad
House Resolution No. 487		
through		
House Resolution No. 491	-	Representative Phillips
House Resolution No. 492		
and		
House Resolution No. 493	-	Representative Nance
House Resolution No. 494		
through		
House Resolution No. 516	-	Representative Jones
House Resolution No. 517	-	Representative Pratt
House Resolution No. 518	-	Representative Nolte
House Resolution No. 519	-	Representatives Quinn and Munzlinger
House Resolution No. 520	-	Representative Cooper (158)
House Resolution No. 521	-	Representative Brown (30)
House Resolution No. 522	-	Representative Parker
House Resolution No. 523	-	Representative Pratt

House Resolution No. 524 - Representative Icet
House Resolution No. 525 - Representative Sutherland
House Resolution No. 526 - Representative Smith (14)

SECOND READING OF HOUSE BILLS

HB 501 through **HB 530** were read the second time.

SECOND READING OF SENATE BILLS

SS SCS SBs 1 & 130 and **SCS SBs 10 & 27** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 119**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 248**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 393**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of eight (8) hours for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 441**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

SUPPLEMENTAL CALENDAR

FEBRUARY 14, 2005

HOUSE BILL FOR PERFECTION

HCS HB 393 - Byrd (8 hours debate on Perfection)

HOUSE CONCURRENT RESOLUTION

HCR 17, relating to Congenital Heart Defect Awareness Day, was taken up by Representative Cooper (158).

On motion of Representative Cooper (158), **HCR 17** was adopted.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 13 - Rules

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SBs 1 & 130 - Workforce Development and Workplace Safety

COMMITTEE REPORT

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 94** and **HB 185**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE OF BILLS

The following House Bills were read the first time and copies ordered printed:

HB 531, introduced by Representative Wright (137), to authorize the governor to convey property owned by the state in Greene County.

HB 532, introduced by Representatives Spreng, Darrough, Bowman, Lowe (44), Wagner, Dempsey, Portwood, Daus, Vogt, Hubbard, Richard, Kratky, Pearce, Bearden, McGhee, Schneider, Sater, Wildberger, Page, Selby, Villa, Liese and Young, relating to a sales tax exemption for certain vehicles.

HB 533, introduced by Representatives Faith and Smith (14), relating to the transfer of employer accounts.

HB 534, introduced by Representatives Hobbs, Schlottach and Smith (118), relating to inventory of county property.

HB 535, introduced by Representatives Roorda, Henke, Oxford, Casey, Meadows, Wildberger, Brown (50), Darrough, Storch, Robinson, Low (39), Harris (23), Lampe, Aull, Skaggs, Baker (25), Salva, Chappelle-Nadal, Donnelly, Zweifel, Hughes, Bowman, Johnson (90), LeVota, Dougherty, Walsh, Jolly, Spreng, Young, Burnett, Villa, Witte, Schoemehl, Yaeger, Bringer, Harris (110), Rucker, Hoskins, Meiners, Kuessner, Wagner, Liese, Whorton, Haywood, Shoemyer, Johnson (61), Page, Moore, Walton, Denison, Fisher and Sander, relating to relief for family members of active duty Missouri military personnel.

HB 536, introduced by Representative Wright (137), relating to the reporting of child abuse or neglect.

WITHDRAWAL OF HOUSE BILL

February 14, 2005

Speaker Rod Jetton
Room 308, State Capitol
Jefferson City, MO 65101

Dear Speaker Jetton:

I respectfully request the withdrawal of **House Bill No. 432**, prohibiting the granting of tenure at higher education institutions.

Sincerely,

/s/ Representative Mark Wright
District 137

The following members' presence was noted: Bland, Sanders Brooks, Curls and Walton.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:45 a.m., Tuesday, February 15, 2005.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twenty-first Day, Thursday, February 10, 2005, Page 281, Line 21, by inserting immediately after said line the following:

HOUSE CONCURRENT RESOLUTION NO. 17

WHEREAS, congenital heart defects are the most frequently occurring birth defect and the leading cause of birth defect related deaths worldwide; and

WHEREAS, more than one million families across America are facing the challenges and hardships of raising children with congenital heart defects; and

WHEREAS, each year 40,000 babies are born with congenital heart defects in the United States; and

WHEREAS, some congenital heart defects are not diagnosed until months or years after birth; and

WHEREAS, undiagnosed congenital heart conditions cause many cases of sudden cardiac death in young athletes; and

WHEREAS, despite these conditions, newborns and young athletes are not routinely screened for congenital heart defects; and

WHEREAS, Congenital Heart Defect Awareness Day provides an opportunity for families whose lives have been affected to celebrate life and to remember loved ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and

WHEREAS, the establishment of Congenital Heart Defect Awareness Day will also provide the opportunity to share experience and information with the public and the media in order to raise public awareness about congenital heart defects:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby recognize February 14, 2005, as Congenital Heart Defect Awareness Day in Missouri.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 15, 2005, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 303, HB 116

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 4.

Department of Agriculture and Department of Natural Resources budget presentations.

APPROPRIATIONS - EDUCATION

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 1.

Presentation from the Department of Higher Education or the Department of Elementary and Secondary Education.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 7.

Budget to be reviewed: Office of Administration continued and Statewide leasing.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 15, 2005, 6:00 p.m. Hearing Room 6.

Budget to be reviewed: Statewide leasing continued.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 4.

Budgets to be reviewed: Statewide leasing continued if necessary; Judiciary and Office of Public Defender.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 3.

Finish Department of Mental Health. Recess until evening adjournment.

Evening: Governor's recommendation regarding optional services and eligibility issues.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 16, 2005, Hearing Room 6 upon evening adjournment.

Discussion of provider taxes; home and community based services and nursing homes.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 15, 2005, 8:00 a.m. Hearing Room 6.

Corrections budget presentations only.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2005, 9:00 a.m. Hearing Room 5.

Department of Insurance. AMENDED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 15, 2005, Hearing Room 4 upon afternoon adjournment.

Tax Credits.

CHILDREN AND FAMILIES

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 100

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HJR 8

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 15, 2005, 6:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 365, HB 189, HB 57, HB 165

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 87, HB 34

FINANCIAL INSTITUTIONS

Tuesday, February 15, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 379, HB 468

HEALTH CARE POLICY

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 131

HIGHER EDUCATION

Tuesday, February 15, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 264, HB 103

JOINT COMMITTEE ON EDUCATION

Tuesday, February 15, 2005, 7:00 p.m. Senate Committee Room 1.

Pursuant to Section 610.021(1); the Committee may go into closed session to discuss matters relating to litigation.

Rep. Robb will give a presentation following closed session. AMENDED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2005, Hearing Room 1 upon morning adjournment.

Organizational meeting and any other business.

JUDICIARY

Tuesday, February 15, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 49, HB 269

LOCAL GOVERNMENT

Thursday, February 17, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 347, HB 91

RETIREMENT

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 112, HB 238, HB 261, HB 334

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

TRANSPORTATION

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 1.

House Bills will be heard after an address by Dr. Jeffrey Runge.

Executive session may follow.

Public hearings to be held on: HB 183, HB 385

WAYS AND MEANS

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 209, HB 54, HB 235

HOUSE CALENDAR

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 15, 2005

HOUSE BILLS FOR SECOND READING

HB 531 through HB 536

HOUSE BILLS FOR PERFECTION

- | | | |
|---|---------------------|----------------------|
| 1 | HCS HB 393 - Byrd | (8 hours-Perfection) |
| 2 | HCS HB 441 - Behnen | |

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 15, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Representative Rachel Bringer.

Heavenly Father,

Thank You for giving each of us the opportunity to serve You and the citizens of Missouri as members of the Missouri House. Grant us wisdom and guidance as we are called upon to make decisions, courage and strength to do Your will, and patience and love as we work together.

Make each of us a blessing to someone today. In Your Heavenly name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Benjamin Smith and Jacob Smith.

The Journal of the twenty-second day was approved as printed.

HOUSE RESOLUTION

Representative Bivins offered House Resolution No. 530.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 527 - Representative Kelly
House Resolution No. 528 - Representatives Deeken and Bruns
House Resolution No. 529 - Representative Wallace

SECOND READING OF HOUSE BILLS

HB 531 through **HB 536** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 393, relating to tort reform, was taken up by Representative Byrd.

Speaker Jetton assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Johnson (90) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 393, Section 538.205, Page 15, Line 13, by striking the word “**manufacturer**” on said line; and

Further amend said bill, Section 538.205, Page 15, Line 14, by striking all of said line; and

Further amend said bill, Section 538.205, Page 15, Line 15, by striking the word “**Administration,**” on said line; and

Further amend said bill, Section 538.210, Page 16, Line 19, by striking the phrase “**or pharmaceutical services**” on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Johnson (90) moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Aull	Baker 25	Barnitz	Bland	Bringer
Brooks	Brown 50	Burnett	Chappelle-Nadal	Casey
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 110
Harris 23	Haywood	Henke	Hoskins	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 092

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kingery	Kraus
Lager	Lembke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf

Schad	Schneider	Self	Smith 118	Smith 14
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bowman	Boykins	Hubbard	Kelly
Lipke	Schlottach	Schoemehl	Stevenson	

VACANCIES: 001

Representative Lowe (44) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 393, Section 510.265, Page 8, Line 3, by striking on said line the phrase “**two hundred fifty**”, and inserting in lieu thereof the following:

“**Five hundred**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lowe (44) moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Skaggs offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 393, Page 20, Section 3, Line 6, by inserting after all of said line the following:

"Section 4. 1. There is established a commission to be known as the "Commission on Tort Reform Review" which shall be composed of the following eighteen members;

(1) Three members of the senate, appointed by the president pro tem of the senate and the minority floor leader of the senate, with no more than two members appointed from the majority party; and

(2) Three members of the house of representatives, appointed by the speaker of the house of representatives and the minority floor leader, with no more than two members appointed from the majority party; and

(3) Twelve members, appointed by the governor with the advice and consent of the senate, who are representatives from the following areas:

(a) Attorneys who have experience and expertise in the litigation of tort claims for damages in this state;

(b) Physicians and other medical professionals licensed in this state;

(c) Medical facility owners and operators in this state;

(c) Insurers that offer plans and coverage in this state for liability resulting from tort claims for damages;

(d) Missouri residents who have been plaintiffs in tort claims for damages cases in this state; and

(e) The judiciary.

2. A majority of the members of the commission shall constitute a quorum. The members shall select one of the members to be the chair and one of the members to be the vice chair. The legislative members of the commission shall receive no additional compensation. All other members of the commission shall receive no

compensation, but shall be reimbursed for actual and necessary expenses incurred by them in the performance of their duties. The commission is authorized to meet and act year round and to employ the necessary personnel within the limits of appropriations.

3. It shall be the duty of the commission:

(1) To make a two-year study and analysis of the effects of tort reform in the state of Missouri as it relates to:

- (a) Fairness and equity;
- (b) True economic impact;
- (c) Burden on individuals and businesses; and
- (d) The impact on the retention of medical professionals and the reduction in medical malpractice and liability insurance premiums in this state; and

(2) To examine and assess the public benefit of tort reform in the state of Missouri and provide a report to the general assembly and the governor with the commission's findings and recommendations, if any, regarding the effects of tort reform in this state by September 1, 2007.

4. The commission may contract with public and private entities, within the limits of appropriation, for analysis and study of the effects of tort reform in this state.

5. This section shall expire on September 15, 2007."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Skaggs moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Baker 25	Barnitz	Bland	Bowman
Bringer	Brooks	Brown 50	Burnett	Chappelle-Nadal
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Parker	Robinson	Roorda	Rucker	Salva
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 092

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf

Schad	Schlottach	Self	Smith 118	Smith 14
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	Denison	Hubbard	Stevenson
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VACANCIES: 001

Representative Johnson (61) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 393, Section 508.010, Page 5, Lines 1-7, by striking all of said lines and inserting in lieu thereof the following:

“508.010. Suits instituted by summons shall, except as otherwise provided by law, be brought:”; and

Further amend said bill, Section 508.010, Page 5, Line 16, by striking the opening bracket “[“ after the word “state” on said line; and

Further amend said bill, Section 508.010, Page 5, Line 24, by striking the closing bracket “]” after the word “published” on said line; and

Further amend said bill, Section 508.010, Pages 6-7, Lines 25 through 71, by striking all of said lines; and

Further amend said bill, Section 538.210, Page 17, Line 51, by inserting after all of said line the following:

“538.211. 1. In all actions against a health care provider pursuant to this chapter, any health care defendant who has filed a timely motion to transfer venue may move for a hearing on the propriety of venue. All discovery shall be stayed except for discovery on the issue of venue raised in the motion. Within ninety days of the filing of the motion, the court shall set a hearing on the motion.

2. If after hearing the court determines that venue is improper, the court shall transfer venue to a county where venue is proper.

3. The court may award reasonable costs, expenses, and attorneys' fees associated with said motion to the prevailing party.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 393, with House Amendment No. 4, pending, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 531 - Representative Wasson
 House Resolution No. 532 - Representative Vogt
 House Resolution No. 533 - Representative Threlkeld
 House Resolution No. 534
 through
 House Resolution No. 547 - Representative Avery
 House Resolution No. 548 - Representative Dixon
 House Resolution No. 549 - Representative Aull
 House Resolution No. 550
 through
 House Resolution No. 553 - Representative Tilley

PERFECTION OF HOUSE BILL

HCS HB 393, with House Amendment No. 4, pending, relating to tort reform, was again taken up by Representative Byrd.

Representative Johnson (61) moved **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Aull	Baker 25	Bland	Bowman	Brooks
Brown 50	Burnett	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
Harris 23	Haywood	Hoskins	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Rucker	Salva	Schoemehl	Shoemyer
Spreng	Storch	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger

NOES: 110

Baker 123	Barnitz	Bean	Bearden	Behnen
Bivins	Black	Bringer	Brown 30	Bruns
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Harris 110	Henke	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery

Kraus	Kuessner	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Selby
Self	Skaggs	Smith 118	Smith 14	Stefanick
Stevenson	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Wagner	Wallace	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Boykins	Dusenberg	George	Hubbard
Walton	Wasson			

VACANCIES: 001

Representative Vogt offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 393, Section 508.040, Page 20, Lines 1 through 7 of said page by striking all of said lines; and

Further amend said bill, Section 490.715, Page 5, Line 27 of said page, by inserting after all of said line the following:

“508.040. Suits **in a tort cause of action** against a [corporations shall be commenced either in the county where the cause of action accrued, or in case the] corporation defendant **that** is a railroad company owning, controlling or operating a railroad running into or through two or more counties in this state[, then in either of such counties,] **shall be commenced where the cause of action accrued or in either such county where the defendant owns, operates or controls a railroad,** or in any county where such [corporations] **defendant** shall have or usually keep an office or agent for the transaction of their usual and customary business.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) assumed the Chair.

Representative Vogt moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Aull	Black	Bland	Bowman	Bringer
Brooks	Brown 30	Brown 50	Burnett	Chappelle-Nadal
Casey	Corcoran	Curls	Darrough	Donnelly
Dougherty	El-Amin	Fraser	Harris 23	Haywood
Henke	Hoskins	Hughes	Johnson 61	Johnson 90

Jolly	Kratky	Kuessner	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Robinson	Roorda	Rucker	Salva	Schaaf
Schoemehl	Selby	Shoemyer	Spreng	Storch
Swinger	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 100

Baker 123	Baker 25	Barnitz	Bean	Bearden
Behnen	Bivins	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Daus	Davis	Day	Decken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 110	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lampe
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schad	Schlottach	Schneider	Self	Skaggs
Smith 118	Smith 14	Stefanick	Stevenson	St. Onge
Sutherland	Tilley	Viebrock	Villa	Wagner
Wallace	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Boykins	George	Hubbard	Threlkeld
Walton	Wasson			

VACANCIES: 001

Representative Burnett offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 393, Section 537.067, Page 12, Line 1 by striking the opening bracket “[“ after the number “1.” on said line; and

Further amend said bill, Section 537.067, Page 12, Line 2, by placing brackets around the phrase “the defendants” on said line; and

Further amend said bill, Section 537.067, Page 12, Line 2, by inserting before the word “shall” on said line the following:

“all defendants who are allocated at least ten percent of fault”; and

Further amend said bill, Section 537.067, Page 13, Line 30, by striking the closing bracket “]” after the number “2.” on said line; and

Further amend said bill, Section 537.067, Page 13, Line 30, by striking the phrase “**In any action in which**” on said line; and

Further amend said bill, Section 537.067, Pages 13 and 14, Lines 31 through 77, by striking all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Bearden resumed the Chair.

Representative Burnett moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Jolly offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 393, Section 538.210, Page 16, Line 33, by placing a close bracket “]” after the number “4.” on said line; and

Further amend said bill, Section 538.210, Page 16, Line 33, by inserting before the word “The” on said line the following:

“**5. Beginning on August 28, 2014,**”; and

Further amend said bill, Section 538.210, Page 17, Line 40, by striking the closing bracket “]” at the end of said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe offered **House Amendment No. 1 to House Amendment No. 7**.

Representative Yates raised a point of order that **House Amendment No. 1 to House Amendment No. 7** is not a true amendment to the amendment and is dilatory.

The Chair ruled the point of order well taken.

Representative Lampe offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

Representative Pratt raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 7** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Salva offered **House Substitute Amendment No. 2 for House Amendment No. 7**.

Representative Pratt raised a point of order that **House Substitute Amendment No. 2 for House Amendment No. 7** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Jolly moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Chappelle-Nadal	Casey
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schneider	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 095

Baker 123	Barnitz	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Self
Smith 118	Smith 14	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Boykins	George	Hubbard	Parker
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VACANCIES: 001

Representative Shoemyer offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 393, Section 537.090, Page 14, Line 16, by striking the phrase "**two-thirds**" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 393, Page 14, Section 537.090, Line 16, by striking the phrase "**two-thirds**" on said line; and inserting in lieu thereof "**three-fourths**"; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Hobbs offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Substitute Amendment No. 1 for House Amendment No. 8 to House Committee Substitute for House Bill No. 393, Page 1, Section 537.090, Line 2, by striking the phrase "**three-fourths**" on said line and inserting in lieu thereof "**one hundred and ten percent**".

On motion of Representative Hobbs, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8** was adopted.

On motion of Representative Pratt, **House Substitute Amendment No. 1 for House Amendment No. 8, as amended**, was adopted.

Representative Dougherty offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 393, Page 10, Section 516.105, Line 22, by inserting an opening bracket "[" before the word "In"; and

Further amend said bill, Page 10, Section 516.105, Line 24, by inserting a closing bracket "]" after the word "later."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Dougherty moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 031

Aull	Bland	Bowman	Brooks	Burnett
Curls	Daus	Donnelly	Dougherty	Fraser
Haywood	Henke	Hoskins	Hughes	Johnson 47
Lampe	Low 39	Lowe 44	Meiners	Schneider
Shoemyer	Skaggs	Spreng	Villa	Vogt
Wallace	Walsh	Walton	Whorton	Wright-Jones
Young				

NOES: 122

Baker 123	Baker 25	Barnitz	Bean	Bearden
Bivins	Black	Bringer	Brown 30	Brown 50
Bruns	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 110	Harris 23
Hobbs	Hunter	Ice	Jackson	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McGhee	Meadows	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Smith 118	Smith 14	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Wagner	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Yaeger	Yates
Zweifel	Mr Speaker			

PRESENT: 003

Darrough	El-Amin	Johnson 61
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ABSENT WITH LEAVE: 006

Avery	Behnen	Boykins	George	Hubbard
Viebrock				

VACANCIES: 001

HCS HB 393, as amended, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 519 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Ethics, Chairman Dempsey reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **additions to the 101 Capitol Complex Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Trent Skaggs

DATE: February 7, 2005

SUBJECT: 101 Capitol Complex Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo., I would like to add Representative Ted Hoskins /s/ Theodore Hoskins as a member of the 101 Capitol Complex Caucus.

Mr. Speaker: Your Committee on Ethics, to which was referred the **115 Complex Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

February 9, 2005

TO: Honorable Tom Dempsey, Chair
House Ethics Committee
Missouri House of Representatives

FROM: Rep. Belinda Harris, District 110

RE: 115 Complex Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of members of the 93rd General Assembly's House of Representatives 115 Complex Caucus is attached.

Please consider this memo a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the current chair of the caucus and as the designated member to present this request to the Committee. Please contact my office at 573-751-2398 if you have any questions.

115 Complex Caucus List

Representative	District
/s/ John L. Bowman	70
/s/ Melba J. Curls	41
/s/ Belinda Harris	110
/s/ Sara Lampe	138
/s/ Juanita Walton	81
/s/ Amber Boykins	60
/s/ Barbara Fraser	83
/s/ Rick Johnson	90
/s/ Terry Swinger	162
/s/ Terry L. Witte	10

Mr. Speaker: Your Committee on Ethics, to which was referred **additions to the 2005 Joint Southwest Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative, Jack Goodman

DATE: January 25, 2005

RE: 2005 Joint Southwest Republican Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo 2000 and the rules of the Missouri House of Representatives, a list of the members of the 93rd General Assembly's Joint Southwest Republican Caucus is attached.

Please consider this memorandum an addition to the formal application formerly filed with the Committee on Ethics.

Senator	District
/s/ Delbert Scott	28
/s/ Norma Champion	30
/s/ Larry Taylor	29
/s/ Dan Clemens	20
/s/ Chris Koster	31
/s/ Carl Vogel	6
/s/ Kevin Engler	3
/s/ Gary Nodler	32
/s/ Chuck Purgason	33

Mr. Speaker: Your Committee on Ethics, to which was referred **additions to the American Legislative Exchange Council Committee Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Rep. Tom Dempsey

FROM: Rep. Shannon Cooper

DATE: February 9, 2005

RE: Addition to ALEC Caucus

Please add the name of Rep. Jack Goodman to the list for the ALEC (American Legislative Exchange Council) Caucus.

Thank you.

/s/ Jack A. L. Goodman Dist. 132

Mr. Speaker: Your Committee on Ethics, to which was referred the **Democrats For Life Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

January 24, 2005

TO: Honorable Tom Dempsey, Chair
House Ethics Committee
Missouri House of Representatives

FROM: Rep. Belinda Harris, District 110

RE: Democrats for Life Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of members of the 93rd General Assembly's House of Representatives Democrats For Life Caucus is attached.

Please consider this memo a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the current chair of the caucus and as the designated member to present this request to the Committee. Rep. Brad Robinson will serve as vice chair and Rep. Sue Schoemehl will serve as whip. Please contact my office at 573-751-2398 if you have any questions.

DEMOCRATS FOR LIFE CAUCUS

Representative	District
/s/ Frank A. Barnitz	150
/s/ Mike Brown	50
/s/ Ron Casey	103
/s/ Curt Dougherty	53
/s/ Belinda Harris	110
/s/ Fred Kratky	65
/s/ Al Liese	79
/s/ Kate Meiners	46
/s/ Jeff Roorda	102
/s/ Ray Salva	51
/s/ Harold R. Selby	105
/s/ Rachel L. Bringer	6
/s/ John P. Burnett	40
/s/ Michael G. Corcoran	77
/s/ Tom George	74
/s/ Wayne Henke	11
/s/ J.C. Kuessner	152

/s/ Tim Meadows	101
/s/ Brad Robinson	107
/s/ Martin T. Rucker	29
/s/ Sue Schoemehl	100
/s/ Wes Shoemyer	9
/s/ Michael Spreng	76
/s/ Tom Villa	108
/s/ Gina Walsh	69
/s/ Patricia M. Yaeger	96
/s/ Terry Swinger	162
/s/ Wes Wagner	104

Mr. Speaker: Your Committee on Ethics, to which was referred **additions to the Democrat Handgun League Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: REPRESENTATIVE TOM DEMPSEY
CHAIRMAN, HOUSE ETHICS COMMITTEE

FROM: REPRESENTATIVE CURT DOUGHERTY
DISTRICT 53

SUBJECT: DEMOCRATIC HANDGUN LEAGUE CAUCUS

DATE: FEBRUARY 9, 2005

Please consider this memo and the below signature, verification that I will be serving as the designated Chairman for the above named Caucus.

Thank you for your attention to this matter.

/s/ Representative Curt Dougherty
District 53

Mr. Speaker: Your Committee on Ethics, to which was referred the **FFA Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Dempsey, Chairman
House Ethics Committee

FROM: Representative Jim Viebrock

DATE: February 1, 2005

RE: FFA Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives FFA Caucus is attached.

Please consider this memorandum a formal application to the Committee on Ethics to approve this Caucus to be recognized as a duly filed and approved Caucus of the General Assembly.

Representative	District
/s/ Jim Viebrock	134
/s/ John Quinn	7
/s/ Mike Dethrow	153
/s/ Jim Guest	5
/s/ Wes Shoemyer	9
/s/ Jim Whorton	3
/s/ Larry D. Wilson	119
/s/ Brian Munzlinger	1
/s/ Tom Loehner	112
/s/ Mike Sutherland	99
/s/ Maynard Wallace	143
/s/ Rodney Schad	115
/s/ Steve Hobbs	21
/s/ Peter Myers	160
/s/ Charlie Schlottach	111
/s/ David Pearce	121

Senator	District
/s/ Larry Gene Taylor	29
/s/ Gary Nodler	32

TO: Rep. Tom Dempsey

FROM: Rep. Jim Viebrock

DATE: February 8, 2005

RE: Addition to FFA Caucus

Please add the name of Senator Dan Clemens to the list for the FFA Caucus. Thank you.

/s/ Dan Clemens
District 20

Mr. Speaker: Your Committee on Ethics, to which was referred the **Missouri House Democratic Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Robin Wright-Jones

DATE: February 8, 2005

RE: Missouri House Democratic Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and rules of the Missouri House of Representatives, a listing of the Missouri House Democratic Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a filed and approved caucus of the General Assembly.

I will serve as the chair of the caucus and as the designated member to present this request to the Committee.

Representative	District
/s/ Joe Aull	26
/s/ Frank A. Barnitz	150
/s/ John L. Bowman	70
/s/ Rachel Bringer	6
/s/ Michael Brown	50
/s/ Ron Casey	103
/s/ Michael G. Corcoran	77
/s/ Bruce Darrough	75
/s/ Margaret Donnelly	73
/s/ Judy Baker	25
/s/ Craig Bland	43
/s/ Amber Boykins	60
/s/ Sharon Sanders Brooks	37
/s/ John P. Burnett	40
/s/ Maria Chappelle-Nadal	72
/s/ Melba J. Curls	41
/s/ Mike Daus	67
/s/ Curt Dougherty	53
/s/ Yaphett El-Amin	57
/s/ Thomas George	74
/s/ Jeff Harris	23
/s/ Wayne Henke	11
/s/ Rodney Hubbard	58
/s/ Cathy Jolly	45
/s/ J.C. Kuessner	152
/s/ Paul LeVota	52
/s/ Beth Low	39
/s/ Barbara Fraser	83
/s/ Belinda Harris	110
/s/ Esther Haywood	71
/s/ Theodore Hoskins	80
/s/ Leonard Hughes, IV	42
/s/ Fred Kratky	65
/s/ Sara Lampe	138
/s/ Al Liese	79
/s/ Jenee' Lowe	44
/s/ Tim Meadows	101
/s/ Jeanette Mott Oxford	59
/s/ Brad Robinson	107
/s/ Ray Salva	51
/s/ Harold R. Selby	105
/s/ Trent Skaggs	31
/s/ Rachel Storch	64
/s/ Thomas A. Villa	108
/s/ Wes Wagner	104
/s/ Kate Meiners	46
/s/ Sam Page	82
/s/ Jeff Roorda	102
/s/ Sue Schoemehl	100
/s/ Wes Shoemyer	9
/s/ Michael Spreng	76
/s/ Terry Swinger	162

/s/ Michael Vogt	66
/s/ Gina Walsh	69
/s/ Juanita Walton	81
/s/ Ed Wildberger	27
/s/ Robin Wright-Jones	63
/s/ Terry Young	49
/s/ Connie L. Johnson	61
/s/ Martin T. Rucker	29
/s/ Jim Whorton	3
/s/ Terry Witte	10
/s/ Patricia M. Yaeger	96
/s/ Clint Zweifel	78
/s/ Rick Johnson	90

Mr. Speaker: Your Committee on Ethics to which was referred the **Sanctity of Life Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Rep. Tom Dempsey, Chairman
House Ethics Committee

FROM: Rep. Ed Emery
Rep. Rachel Bringer

DATE: January 31, 2005

RE: Sanctity of Life Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives Sanctity of Life Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

We will serve as the designated members to present this request to the Committee. Please contact us at 751-2165 or 751-9818 if you have any questions concerning this caucus.

Representative	District
/s/ Brian Baker	123
/s/ Frank A. Barnitz	150
/s/ Bob Behnen	2
/s/ Walt Bivins	97
/s/ Lanie G. Black	161
/s/ Rachel L. Bringer	6
/s/ Jason Brown	30
/s/ Mark Bruns	113
/s/ Nathan Cooper	158
/s/ Mike Cunningham	145
/s/ Jane Cunningham	86
/s/ Cynthia L. Davis	19
/s/ David A. Day	148
/s/ Bill Deeken	114
/s/ Charlie Denison	135
/s/ Bob Dixon	140

/s/ Curt Dougherty	53
/s/ Ed Emery	126
/s/ Doug Ervin	35
/s/ Barney Fisher	125
/s/ Tom George	74
/s/ Belinda Harris	110
/s/ Wayne Henke	11
/s/ Steve Hunter	127
/s/ Allen Icet	84
/s/ Jack Jackson	89
/s/ Jim Lembke	85
/s/ Tim Meadows	101
/s/ Danie Moore	20
/s/ Brian Munzlinger	1
/s/ Peter Myers	160
/s/ Brian Nieves	98
/s/ Sherman Parker	12
/s/ Susan Phillips	32
/s/ Charles R. Portwood	92
/s/ John Quinn	7
/s/ Rex Rector	124
/s/ Marilyn Ruestman	131
/s/ Therese Sander	22
/s/ David Sater	68
/s/ Vicki Schneider	17
/s/ Sue Schoemehl	100
/s/ Harold R. Selby	105
/s/ Tom Self	116
/s/ Wes Shoemyer	9
/s/ Todd Smith	118
/s/ Joe Smith	14
/s/ Jodi Stefanick	93
/s/ Bryan P. Stevenson	128
/s/ Kevin Threlkeld	109
/s/ Jim Viebrock	134
/s/ Tom Villa	108
/s/ Jim Whorton	3
/s/ Kevin Wilson	130
/s/ Larry D. Wilson	119
/s/ Dennis Wood	62
/s/ Patricia Yaeger	96
/s/ Brian Yates	56
/s/ John Burnett	40
/s/ Ron Casey	103
/s/ Fred Kratky	65
/s/ J.C. Kuessner	152
/s/ Al Liese	79
/s/ Kate Meiners	46
/s/ Brad Robinson	107
/s/ Ray Salva	51
/s/ Mike Spreng	76
/s/ Terry Swinger	162
/s/ Gina Walsh	69
/s/ Rod Jetton	156
/s/ Wayne Cooper	155
/s/ Rodney Schad	115

/s/ Scott T. Rupp	13
/s/ Mike McGhee	122
/s/ Tim Flook	34
/s/ Tom Dempsey	18
/s/ Billy Pat Wright	159
/s/ Bryan Pratt	55
/s/ Shannon Cooper	120
/s/ Michael G. Corcoran	77
/s/ Sally A. Faith	15
/s/ Scott Lipke	157
/s/ Neal St. Onge	88
/s/ Darrell Pollock	146
/s/ Gayle Kingery	154
/s/ Charlie Schlottach	111
/s/ Mike Sutherland	99
/s/ Gary Dusenberger	54
/s/ Ed Robb	24
/s/ Ray Weter	142
/s/ Bob May	149
/s/ Kathy L. Chinn	8
/s/ Jerry Nolte	33
/s/ Ron Richard	129
/s/ Don Wells	147
/s/ Jay Wasson	141
/s/ Jack A. L. Goodman	132
/s/ Mark Wright	137
/s/ Otto Bean, Jr.	163
/s/ Mike Dethrow	153
/s/ Richard Byrd	94
/s/ Rob Schaaf	28
/s/ Jim Guest	5
/s/ Brad Roark	139
/s/ Van Kelly	144

Mr. Speaker: Your Committee on Ethics, to which was referred the **St. Louis Regional Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Rep. Neal St. Onge

DATE: February 7, 2005

RE: St. Louis Regional Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of members of the 93rd General Assembly's St. Louis Regional Caucus is attached.

Please consider this as a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the commission. Please contact me at 573-751-5568 if you have any questions.

Senators	District
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/s/ Joan Bray	24
/s/ Rita Heard Days	14
/s/ Pat Dougherty	4
/s/ Michael Gibbons	15
/s/ John Griesheimer	26
/s/ John Loudon	7
/s/ Maida Coleman	5
/s/ Jon Dolan	2
/s/ Kevin Engler	3
/s/ Tim Green	13
/s/ Harry Kennedy	1

Representatives	District
------------------------	-----------------

/s/ Carl Bearden	16
/s/ John L. Bowman	70
/s/ Jim Avery	95
/s/ Walt Bivins	97
/s/ Amber Boykins	60
/s/ Richard Byrd	94
/s/ Maria Chappelle-Nadal	72
/s/ Jane Cunningham	86
/s/ Mike Daus	67
/s/ Tom Dempsey	18
/s/ Yaphett El-Amin	57
/s/ Kathlyn Fares	91
/s/ Thomas E. George	74
/s/ Esther Haywood	71
/s/ Ron Casey	103
/s/ Michael G. Corcoran	77
/s/ Bruce Darrough	75
/s/ Cynthia L. Davis	19
/s/ Margaret Donnelly	73
/s/ Sally A. Faith	15
/s/ Barbara Fraser	83
/s/ Belinda Harris	110
/s/ Wayne J. Henke	11
/s/ Theodore Hoskins	80
/s/ Allen Icet	84
/s/ Connie Johnson	61
/s/ Robin Wright-Jones	63
/s/ James W. Lembke	85
/s/ Scott Muschany	87
/s/ Jeanette Mott Oxford	59
/s/ Sherman Parker	12
/s/ Jeff Roorda	102
/s/ Rodney Hubbard	58
/s/ Jack Jackson	89
/s/ Rick Johnson	90
/s/ Fred Kratky	65
/s/ Albert J. Liese	79
/s/ Brian D. Nieves	98
/s/ Sam Page	82
/s/ Charles Portwood	92

/s/ Scott T. Rupp	13
/s/ Charles W. Schlottach	111
/s/ Sue Schoemehl	100
/s/ Michael Spreng	76
/s/ Jodi Stefanick	93
/s/ Mike Sutherland	99
/s/ Thomas A. Villa	108
/s/ Wes Wagner	104
/s/ Juanita Head Walton	81
/s/ Patricia Yaeger	96
/s/ Vicki Schneider	17
/s/ Joe Smith	14
/s/ Neal St. Onge	88
/s/ Rachel Storch	64
/s/ Kevin Threlkeld	109
/s/ Mike Vogt	66
/s/ Gina Walsh	69
/s/ Clint Zweifel	78

Mr. Speaker: Your Committee on Ethics, to which was referred the **University of Missouri Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Jim Guest

DATE: February 2, 2005

RE: University of Missouri Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives University of Missouri Caucus is attached. It includes House members who graduated from one of the four campuses of the University of Missouri, who attended there or have children who attended there, whose legislative district includes or is next to a campus, or who have a general interest in supporting the institution.

Please consider this a letter of formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

Officers of the Caucus are listed below, and I will serve as the designated member to present this request to the Committee. Please contact me at (573) 751-0246 if you have any questions concerning this caucus.

Proposed Officers, 2005 University of Missouri Caucus

Co-Chairs:

Jim Guest, R-5th
Cathy Jolly, D-45th

Assistant chairs:

Ed Robb, R-24th
Clint Zweifel, D-78th

Honorary founding chair:

Jeff Harris, D-23rd

Representative	District
/s/ Tom Villa	108
/s/ Don Wells	147
/s/ Kevin Wilson	130
/s/ Bryan Yates	56
/s/ Kathlyn Fares	91
/s/ Wes Wagner	104
/s/ Jim Whorton	3
/s/ Terry L. Witte	10
/s/ Clint Zwiefel	78
/s/ Bob Dixon	140
/s/ Scott Rupp	13
/s/ David Sater	68
/s/ Wes Shoemyer	9
/s/ Bryan P. Stevenson	128
/s/ Kevin Threlkeld	109
/s/ Therese Sander	22
/s/ Sue Schoemehl	100
/s/ Allen Icet	84
/s/ Mike Sutherland	99
/s/ Steven Tilley	106
/s/ Jenee Lowe	44
/s/ Brian Munzlinger	1
/s/ Sam Page	82
/s/ Bryan Pratt	55
/s/ Ed Robb	24
/s/ Terry Swinger	162
/s/ Bob May	149
/s/ Bob Behnen	2
/s/ David Pearce	121
/s/ John Quinn	7
/s/ Jeff Roorda	102
/s/ Wayne Henke	11
/s/ Theodore Hoskins	80
/s/ Connie Johnson	61
/s/ Kenny Jones	117
/s/ Gayle Kingery	154
/s/ Steve Hobbs	21
/s/ Leonard Hughes	42
/s/ Cathy Jolly	45
/s/ Robin Wright-Jones	63
/s/ Beth Low	39
/s/ Otto Bean, Jr.	163
/s/ John L. Bowman	70
/s/ John P. Burnett	40
/s/ Judy Baker	25
/s/ Craig Bland	43
/s/ Rachel L. Bringer	6
/s/ Michael Brown	50
/s/ Wayne Cooper	155
/s/ Melba J. Curls	41
/s/ Gary Dusenberg	54

/s/ Barney Fisher	125
/s/ Jack Goodman	132
/s/ Jeff Harris	23
/s/ Mike Dethrow	153
/s/ Ed Emery	126
/s/ Tim Flook	34
/s/ Jim Guest	5
/s/ Esther Haywood	71

Mr. Speaker: Your Committee on Ethics, to which was referred the **Veterans Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

DATE: February 3, 2005

TO: Representative Tom Dempsey
Chairman
House Ethics Committee

FROM: Representative Gary Dusenberg
District 54

SUBJECT: Veterans Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives Veterans Caucus is attached.

Please consider this memorandum a formal application to the House Ethics Committee to approve this Caucus to be recognized as a duly filed and approved Caucus of the General Assembly.

Representative	District
/s/ Brian Munzlinger	1
/s/ Robert J. Behnen	2
/s/ Jim Whorton	3
/s/ Jim Guest	5
/s/ John Quinn	7
/s/ Terry L. Witte	10
/s/ Wayne Henke	11
/s/ Joe Smith	14
/s/ Carl Bearden	16
/s/ Vicki Schneider	17
/s/ Therese Sander	22
/s/ Joe Aull	26
/s/ Jason R. Brown	30
/s/ Susan Phillips	32
/s/ John P. Burnett	40
/s/ Jenee' Lowe	44
/s/ Cathy Jolly	45
/s/ Will Kraus	48
/s/ Terry Young	49
/s/ Gary Dusenberg	54
/s/ Dennis Wood	62
/s/ Fred Kratky	65
/s/ David Sater	68
/s/ Tom George	74

/s/ Michael Spreng	76
/s/ Jack Jackson	89
/s/ Walt Bivins	97
/s/ Brian Nieves	98
/s/ Mike Sutherland	99
/s/ Ron Casey	103
/s/ Belinda Harris	110
/s/ Larry D. Wilson	119
/s/ Brian Baker	123
/s/ Barney Fisher	125
/s/ Ed Emery	126
/s/ Steve Hunter	127
/s/ Kevin Wilson	130
/s/ Marilyn Ruestman	131
/s/ Jack Goodman	132
/s/ Michael L. Parson	133
/s/ Sara Lampe	138
/s/ Mike Cunningham	145
/s/ Don Wells	147
/s/ David A. Day	148
/s/ J.C. Kuessner	152
/s/ Gayle Kingery	154
/s/ Billy Wright	159
/s/ Peter Myers	160
/s/ Lanie Black	161
/s/ Terry Swinger	162
/s/ Otto Bean, Jr.	163
/s/ Bryan Pratt	55
/s/ Steve Hobbs	21
/s/ Barbara Fraser	83

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 20, introduced by Representatives Rupp, McGhee, Baker (123), Aull, Icet, Sater, Deeken, Bland, Harris (110), Chappelle-Nadal, Schad, Phillips, Sander, Wilson (119), Roorda, Nolte, Smith (14), Cunningham (86), Emery, Faith, Stefanick, Sutherland, Dusenberg and Bruns, relating to the designation of October fifteenth as Pregnancy and Infant Loss Remembrance Day.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 537, introduced by Representatives Sater, Page, Denison and Cunningham (86), relating to watercraft regulations.

HB 538, introduced by Representative Wright (137), relating to methamphetamine and its precursors.

HB 539, introduced by Representatives Icet, Cunningham (86) and Sander, relating to teacher salary incentives.

HB 540, introduced by Representative Johnson (90), relating to cafeteria plans for state employees.

HB 541, introduced by Representatives Henke, Swinger, Harris (110), Bowman, Witte, Roorda, Harris (23), Salva, Barnitz, Selby, Kuessner, Curls and Wright-Jones, relating to license fee revenue.

HB 542, introduced by Representatives Henke, Kuessner, Harris (110), Robinson, Swinger, Roorda, Wildberger, Witte, Barnitz, Shoemyer, Aull, Salva, Dougherty, Brown (50), Casey and Rucker, relating to tobacco settlement moneys.

HB 543, introduced by Representatives Zweifel, Shoemyer, Darrough, Schoemehl, LeVota, Wildberger, Meadows, Yaeger and Young, relating to disclosure of certain health care benefits.

HB 544, introduced by Representatives Zweifel, Dougherty, Lampe, Page, Baker (25), LeVota, Yaeger, Whorton, Darrough, Donnelly and Bowman, relating to senior citizens property tax relief.

HB 545, introduced by Representatives Zweifel and Darrough, relating to right-of-way at intersections.

HB 546, introduced by Representatives Ervin, Yates, Daus, Meadows, Brown (30), Munzlinger, Flook, Day, Wildberger, Dusenberger, Yaeger, Whorton, Page, McGhee, Moore, Denison, Baker (123) and Hoskins, relating to an income tax deduction for health insurance premiums.

HB 547, introduced by Representatives Ervin, Hobbs, Meadows, Brown (30), Flook, Wildberger, Yaeger, Page, Wilson (119), McGhee, Moore, Denison and Baker (123), relating to distribution of a controlled substance near a park.

HB 548, introduced by Representatives Fraser, Young, Chappelle-Nadal, Moore, Cunningham (86) and Baker (25), relating to rights of persons with service animals.

HB 549, introduced by Representatives Fraser, Oxford, Darrough, Harris (110), Sutherland and Kratky, relating to shipwreck site protection.

HB 550, introduced by Representative Wasson, relating to clinical laboratories.

HB 551, introduced by Representatives Schlottach, Loehner, Schad, Hobbs, Whorton, Jones, Cunningham (145), Bruns, Quinn, Cooper (158), Threlkeld, Goodman, Shoemyer, Munzlinger, McGhee, Henke, Sutherland, Kuessner, Barnitz, Johnson (47), Guest, Ervin, Dethrow and Bearden, relating to electrical cooperatives.

HB 552, introduced by Representatives Ervin and Nieves, relating to sales to and by licensed vehicle dealers without contemporaneous assignment of certificate of title.

HB 553, introduced by Representative Rector, relating to liquefied petroleum gases.

HB 554, introduced by Representatives Dixon, Schoemehl, Kingery, Wright (137), Wilson (119), Bearden, Wagner, Davis, Faith, Munzlinger, Moore, Selby, Phillips, Lembke, Baker (25), Walton, Spreng, Harris (110) and Lampe, relating to naturopathic medicine.

HB 555, introduced by Representative Smith (118), relating to internal audits.

HB 556, introduced by Representatives Black, Walton, Chinn, Bivins, Roark, Smith (14), Icet, Jackson, Cooper (120), Emery, Myers and Kingery, relating to the nurse licensure compact.

HB 557, introduced by Representatives Baker (25), Chappelle-Nadal, Wildberger, Roorda, Low (39), Bland, Hoskins, Johnson (61), Sanders Brooks, Walsh, Lampe, Aull, Donnelly, Darrough, Sater, Fraser, Parker and Schoemehl, relating to the criminal justice system.

HB 558, introduced by Representative Cooper (158), relating to reporting and registering all deputy coroners and assistant coroners to the Missouri coroners' and medical examiners' association.

HB 559, introduced by Representatives Guest, Quinn, Whorton, Wildberger, McGhee, Schaaf, Denison and Lager, relating to the wholesale water and sewer authority act.

The following member's presence was noted: Boykins.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:45 a.m., Wednesday, February 16, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 16, 2005, 1:00 p.m. Hearing Room 4.

Continuation of the Department of Natural Resources budget presentation.

APPROPRIATIONS - EDUCATION

Thursday, February 17, 2005, Hearing Room 1 upon morning adjournment.

Presentation from the Department of Elementary and Secondary Education continued.

Meeting will begin thirty minutes after morning adjournment.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 4.

Budgets to be reviewed: Statewide leasing continued if necessary; Judiciary and Office of Public Defender.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 16, 2005, Hearing Room 6 upon evening adjournment.

Discussion of provider taxes; home and community based services and nursing homes.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 4.

Department of Corrections only.

BUDGET

Thursday, February 17, 2005, 8:00 a.m. Hearing Room 3.

Markup will be held on: HB 14

CHILDREN AND FAMILIES

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 100

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow. CANCELLED

Public hearing to be held on: HJR 8

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 87, HB 34

HEALTH CARE POLICY

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 131

INSURANCE POLICY

Wednesday, February 16, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 69, HB 241

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 16, 2005, 12:00 p.m. Hearing Room 6.

Presentation of independent audit of Department of Economic Development.

Executive session will be held on: HB 135

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2005, Hearing Room 1 upon morning adjournment.

Organizational meeting and any other business.

LOCAL GOVERNMENT

Thursday, February 17, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 347, HB 91

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 16, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 174, HB 175

RETIREMENT

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 112, HB 238, HB 261, HB 334

RULES

Thursday, February 17, 2005, 9:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HCS HB 94 & 185, HR 222, HR 163, HR 134, HR 96, HR 12, HR 11, HCR 15, HCR 11, HCR 9, HCR 3

SENIOR CITIZEN ADVOCACY

Thursday, February 17, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 110, HB 204, HB 228

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

TRANSPORTATION

Wednesday, February 16, 2005, 8:00 a.m. Hearing Room 1.

House Bills will be heard after an address by Dr. Jeffrey Runge.

Executive session may follow.

Public hearings to be held on: HB 183, HB 385

UTILITIES

Wednesday, February 16, 2005, Hearing Room 5 upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 338, HB 399

WAYS AND MEANS

Wednesday, February 16, 2005, 6:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 209, HB 54, HB 235

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 16, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 519

HOUSE CALENDAR

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 16, 2005

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 20

HOUSE BILLS FOR SECOND READING

HB 537 through HB 559

HOUSE BILLS FOR PERFECTION

1	HCS HB 393, as amended - Byrd	(8 hours-Perfection)
2	HCS HB 441 - Behnen	

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 16, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, Your way is perfect! Your Word is tested and tried; You are a shield to all who take shelter and put their trust in You.

You give us strength to tackle the toughest of problems and power to overcome any obstacles.

May we not seek the praise of the public in this great Assembly, but proceed with confidence in our calling. Help us to quickly move past any disagreements that may interfere with completion of that vocation.

Now may Your grace rest and abide with each of us throughout this day.

In the excellent name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashley Rhoads, Zane Bright, Cane Christison, Eric Mitchell, Brandon Mundle, Henry Sweets IV, Ariana Galluzzio, Stacy Gruchalla, Emma Hayden, Caryn Lippincott and Summer Thomas.

The Journal of the twenty-third day was approved as printed.

SPECIAL RECOGNITION

Jim Anderson of Springfield, Missouri, was introduced by Representative Dixon and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 554	-	Representative Salva
House Resolution No. 555	-	Representative Cunningham (145)
House Resolution No. 556	-	Representative Swinger
House Resolution No. 557	-	Representative Henke
House Resolution No. 558	-	Representative Yaeger

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 20 was read the second time.

SECOND READING OF HOUSE BILLS

HB 537 through **HB 559** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 393, as amended, relating to tort reform, was taken up by Representative Byrd.

Speaker Pro Tem Bearden assumed the Chair.

Representative Young offered **House Amendment No. 10**.

Representative Byrd raised a point of order that **House Amendment No. 10** is not germane to the title of the bill.

The Chair ruled the point of order well taken.

Representative Fraser offered **House Amendment No. 11**.

House Amendment No. 11 was withdrawn.

Representative Dougherty offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for House Bill No. 393, Page 10, Section 516.105, Lines 23 and 24, by deleting all of said lines and inserting in lieu thereof the following:

"the expiration of ten years from the date of the act of negligence complained of [or for ten years from a minor's twentieth birthday, whichever is later]."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Byrd offered **House Amendment No. 1 to House Amendment No. 12**.

House Amendment No. 1

to

House Amendment No. 12

AMEND House Amendment No. 12 to House Committee Substitute for House Bill No. 393, Section 516.105, Page 1, Lines 5 and 6, by striking all of said lines and inserting in lieu thereof the following:

"negligence complained of or for [ten] **two** years from a minor's [twentieth] **eighteenth** birthday, whichever is later."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 1 to House Amendment No. 12** was adopted.

On motion of Representative Dougherty, **House Amendment No. 12, as amended**, was adopted.

Representative LeVota offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for House Bill No. 393, Section 538.225, Page 19, Lines 21 through 28, by striking all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative LeVota moved that **House Amendment No. 13** be adopted.

Which motion was defeated.

Representative Burnett offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for House Bill No. 393, Section 537.035, Page 11, Line 25 of said page, by striking the phrase "**including long-term care facilities licensed under chapter 198, RSMo,**" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 14** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Parker
Robinson	Roorda	Rucker	Salva	Schneider
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

NOES: 097

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86

Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Page	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Self	Smith 118	Smith 14	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 002

Avery Hobbs

VACANCIES: 001

Representative Burnett offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for House Bill No. 393, Section 537.067, Pages 12 through 14, Lines 1 through 77, by striking all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 059

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Chappelle-Nadal
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 110	Harris 23	Haywood	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Oxford	Parker	Robinson	Roorda
Rucker	Salva	Schneider	Schoemehl	Shoemyer
Skaggs	Spreng	Storch	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 100

Baker 123	Barnitz	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hoskins	Hubbard
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Selby	Self	Smith 118	Smith 14
Stefanick	Stevenson	St. Onge	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Wagner	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Avery Hobbs Hunter

VACANCIES: 001

Representative Byrd offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Committee Substitute for House Bill No. 393, Section 3, Page 20, Line 3, by striking the word “**complaint**” on said line and inserting in lieu thereof the following:

“**petition**”; and

Further amend said bill, Section 3, Page 20, Line 5, by inserting after the word “ **shall**” on said line the following:

“**upon application of any party**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Page offered **House Amendment No. 1 to House Amendment No. 16.**

*House Amendment No. 1
to
House Amendment No. 16*

AMEND House Amendment No. 16 to House Committee Substitute for House Bill No. 393, Page 1, by adding at the end of said amendment the following:

“Further amending said bill, Page 20, Section 355.176, Line 14, by adding at the end of said line:

[4. Suits against a nonprofit corporation shall be commenced only in one of the following locations:

- (1) the county in which the nonprofit corporation maintains its principal place of business;
- (2) the county where the cause of action accrued;
- (3) the county in which the office of the registered agent for the nonprofit corporation is maintained.]”.

On motion of Representative Page, **House Amendment No. 1 to House Amendment No. 16** was adopted.

On motion of Representative Byrd, **House Amendment No. 16, as amended**, was adopted.

HCS HB 393, as amended, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE RESOLUTION

Representative Fraser, et al., offered House Resolution No. 569.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- | | | |
|--------------------------|---|---|
| House Resolution No. 559 | - | Representative Ervin |
| House Resolution No. 560 | - | Representative St. Onge |
| House Resolution No. 561 | - | Representative Deeken |
| House Resolution No. 562 | - | Representative Smith (118) |
| House Resolution No. 563 | - | Representative Phillips |
| House Resolution No. 564 | | |
| through | | |
| House Resolution No. 566 | - | Representatives Phillips and Brown (30) |
| House Resolution No. 567 | - | Representative Sander |
| House Resolution No. 568 | - | Representative Baker (123) |
| House Resolution No. 570 | - | Representative Wilson (119) |
| House Resolution No. 571 | - | Representative Denison |
| House Resolution No. 572 | - | Representative Smith (14), et al. |
| House Resolution No. 573 | - | Representative Smith (14) |
| House Resolution No. 574 | | |
| through | | |
| House Resolution No. 659 | - | Representative Avery |
| House Resolution No. 660 | - | Representative Robinson |
| House Resolution No. 661 | - | Representative Cunningham (86) |

Representative Dempsey suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 123

Aull	Baker 123	Baker 25	Bearden	Behnen
Bivins	Black	Bringer	Brown 50	Burnett
Byrd	Chappelle-Nadal	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Henke	Hobbs	Hoskins
Hughes	Ice	Johnson 47	Johnson 61	Johnson 90
Jolly	Kelly	Kingery	Kraus	Lager
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Pollock	Portwood
Pratt	Richard	Roark	Robb	Robinson
Roorda	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Self	Shoemyer	Smith 14	Stevenson	St. Onge
Storch	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 002

Darrough Daus

PRESENT: 002

George Spreng

ABSENT WITH LEAVE: 035

Avery	Barnitz	Bean	Bland	Bowman
Boykins	Brooks	Brown 30	Bruns	Casey
Dixon	Haywood	Hubbard	Hunter	Jackson
Jones	Kratky	Kuessner	Lembke	Meadows
Phillips	Quinn	Rector	Rucker	Schneider
Selby	Skaggs	Smith 118	Stefanick	Sutherland
Walsh	Walton	Wasson	Wright-Jones	Wright 137

VACANCIES: 001

PERFECTION OF HOUSE BILLS

HCS HB 393, as amended, relating to tort reform, was again taken up by Representative Byrd.

Representative Yates requested a division of the question on **HCS HB 393, as amended**.

Representative Byrd moved that **Part I of HCS HB 393** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Parker	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Smith 14	Spreng	St. Onge	Storch
Swinger	Threlkeld	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 089

Baker 123	Bearden	Behnen	Bivins	Black
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Smith 118	Stefanick
Stevenson	Sutherland	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bean	Pratt	Wilson 130
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VACANCIES: 001

On motion of Representative Byrd, **Part II of HCS HB 393, as amended**, was adopted.

On motion of Representative Byrd, **HCS HB 393, as amended**, was ordered perfected and printed.

HCS HB 441, relating to methamphetamine precursor drugs, was taken up by Representative Lipke.

Representative Lipke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 441, Page 15, Section 195.017, Line 493, by deleting all of said line and inserting in lieu thereof the following:

"(3) Any material, compound, mixture or preparation which contains any quantity"; and

Further amend said bill, Page 15, Section 195.017, Line 496, by deleting all of said line and inserting in lieu thereof the following:

"(4) **Any compound, mixture, or preparation containing any detectable quantity of**"; and

Further amend said bill, Page 15, Section 195.017, Line 506, by deleting all of said line and inserting in lieu thereof the following:

"**for sale only from behind a checkout counter where the public is not permitted, and only by a**"; and

Further amend said bill, Page 16, Section 195.017, Lines 530 and 531, by deleting all of said lines and inserting in lieu thereof the following:

"15. Within thirty days of the enactment of this section, any business entity which sells ephedrine or pseudoephedrine products in the course of legitimate business which is in the possession of pseudoephedrine and ephedrine products, and which does not have a state and federal"; and

Further amend said bill, Page 16, Section 195.017, Lines 536 and 537, by deleting all of said lines and inserting in lieu thereof the following:

"17. The scheduling of substances specified in subdivision (4) of subsection 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds, mixtures, or preparations that are in liquid or"; and

Further amend said bill, Page 17, Section 195.417, Lines 1 to 32, by deleting all of said lines and inserting in lieu thereof the following:

"195.417. 1. [No person shall deliver in any single over-the-counter sale more than:

(1) Two packages or any number of packages that contain a combined total of no more than six grams of any drug containing a sole active ingredient of ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical isomers; or

(2) Three packages of any combination drug containing, as one of its active ingredients, ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical isomers, or any number of packages of said combination drug that contain a combined total of no more than nine grams of ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical isomers.

2. All packages of any drug having a sole active ingredient of ephedrine, pseudoephedrine, phenylpropanolamine, or any of their salts, optical isomers, or salts of optical isomers, shall be displayed and offered for sale only behind a checkout counter where the public is not permitted, or within ten feet and an unobstructed view of an attended checkout counter. This subsection shall not apply to any retailer utilizing an electronic antitheft system that utilizes a product tag and detection alarm which specifically prevents the theft of such drugs from the place of

business where such drugs are sold.] **The limits specified in subsection 2 of this section shall not apply to any quantity of such product, mixture, or preparation dispensed pursuant to a valid prescription.**

2. Within any thirty-day period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or**
- (2) One of the active ingredients of a combination drug; or**
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;**

in any total amount greater than nine grams.

3. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a checkout counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

[3.] 4. This section shall supersede and preempt any [municipal] local ordinances or regulations [passed on or after December 23, 2002, to the extent that such ordinances or regulations are more restrictive than the provisions of this section], including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to [any product labeled pursuant]; and

Further amend said bill, Page 18, Section 195.417, Line 46, by deleting all of said line and inserting in lieu thereof the following:

"ephedrine its salts or optical isomers, or salts of optical isomers shall maintain logs, documents,"; and

Further amend said bill, Page 18, Section 195.417, Line 48, by deleting all of said line and inserting in lieu thereof the following:

"preparations that are excluded from Schedule V"; and

Further amend said bill, Page 18, Section 195.417, Lines 55 and 56, by deleting all of said lines and inserting in lieu thereof the following:

"offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section"; and

Further amend said bill, Pages 18 and 19, Section 195.417, Lines 66 to 71, by deleting all of said lines and inserting in lieu thereof the following:

"8. The provisions of subsection 2 of this section limiting individuals from purchasing the specified amount in any thirty-day period shall not apply to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel capsule form. However, no person shall purchase, receive, or otherwise acquire more than nine grams of any compound, mixture, or preparation excluded in subsection 17 or 18 of section 195.017, in a single purchase as provided in subsection 2 of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Sander offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 441, Page 5 of said amendment, Line 12, by inserting after all of said line the following:

“Further amend said bill, Page 18, Lines 59 to 61, by striking all of said lines and inserting in lieu thereof the following:

‘6. Within thirty days of the enactment of this section, any business entity which sells ephedrine or pseudoephedrine products in the course of legitimate business which is in the possession of pseudoephedrine and ephedrine products, and which does not have a state and federal controlled’ ”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sander, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Lipke, **House Amendment No. 1, as amended**, was adopted.

Representative Lipke offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 441, Page 17, Section 195.017, Line 548, by inserting after all of said line the following:

“20. The department of health and senior services shall promulgate rules under chapter 536, RSMo, regarding the security and storage of Schedule V controlled substances, as described in subdivision (3) of subsection 10 of this section, for distributors as registered by the department of health and senior services.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 2** was adopted.

Representative Bringer offered **House Amendment No. 3.**

Representative Lipke raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Lipke, **HCS HB 441, as amended**, was adopted.

On motion of Representative Lipke, **HCS HB 441, as amended**, was ordered perfected and printed.

COMMITTEE REPORT

Committee on Financial Institutions, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 468**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 560, introduced by Representatives Wright (137), Wood, Bearden, Nieves, Stevenson, Goodman, Dempsey, Wilson (130), Roark, Sutherland, Emery, Denison, Ruestman, Wilson (119), Cunningham (145), Richard, Sater, Bland, Parson, Weter, Wells, Nolte, Phillips, Faith, Fisher, Kelly, Brown (30), Lembke, Flook, Portwood, Bean, Baker (123), Chinn, St. Onge, Kingery, Davis, Wright (159), Hunter, Behnen, Sander, Hobbs, Franz, Pollock, Munzlinger, Dusenberg, Pearce, Schad, Loehner, Icet, Day, Bivins, Tilley, Kraus, Yates, Parker, Smith (14), Rector, Jones, Cooper (155), Moore, Ervin, Bruns, Schlottach, Schneider, Jackson, Myers, Cunningham (86), Lipke, Black, Smith (118) and Stefanick, relating to limiting the number of excursion gambling boat licenses issued by the gaming commission.

HB 561, introduced by Representatives Kratky, Chappelle-Nadal, Daus, Wright-Jones, Oxford and Johnson (61), relating to park rangers of the City of St. Louis.

HB 562, introduced by Representative Wood, relating to the buyers club law.

HB 563, introduced by Representatives Rucker, Wildberger and Schaaf, relating to drainage and levee districts.

HB 564, introduced by Representatives Boykins, Parker, Chappelle-Nadal, Storch, Johnson (61), Walton, Shoemyer, Sanders Brooks, Daus, Bland, Hubbard, Wright-Jones, Hoskins, Bowman, Haywood, Dougherty, Schneider, Portwood, Moore, Roark, Vogt, Selby, Brown (30), Oxford, Yaeger, Meiners, Liese, Dempsey, Johnson (47), St. Onge, Lowe (44), Page, Wagner, Witte, El-Amin, Brown (50), Curls, Donnelly, Fraser, Spreng, Burnett, George, Schoemehl, Young, Corcoran, Kratky, Harris (23), Villa and Meadows, relating to stolen license plate tabs.

HB 565, introduced by Representatives Oxford, Roorda, Bowman, Chappelle-Nadal and El-Amin, relating to the taxicab industry.

HB 566, introduced by Representatives Hughes, Low (39), Meiners, Jolly, Salva, Bland, Young, Lowe (44), Chappelle-Nadal, LeVota, Wright-Jones, Hoskins, Parker, Wildberger, Page, Walsh, Haywood, Dougherty, El-Amin, Storch, Rucker, Brown (50), Sanders Brooks, Skaggs, Curls, Johnson (61) and Burnett, relating to title loans.

HB 567, introduced by Representatives Stevenson and Harris (110), relating to condemnation proceedings.

HB 568, introduced by Representatives Stevenson, Phillips and Brown (30), relating to protection of children.

HB 569, introduced by Representatives Stevenson, Wilson (130) and Brown (30), relating to vehicles abandoned at automobile repair business.

HB 570, introduced by Representative Stevenson, relating to an intensive long-term program for the treatment of chronic nonviolent offenders with serious substance abuse addictions.

HB 571, introduced by Representatives Stevenson, Fisher, Hunter, Phillips, Munzlinger, Bivins, Moore and Day, relating to prevailing wages in certain counties.

HB 572, introduced by Representatives Stevenson, Wilson (130), Self, Bivins and Moore, relating to juvenile courts.

HB 573, introduced by Representative Stevenson, for the sole purpose of repealing certain expired, sunset, terminated, and ineffective statutory provisions as identified by the joint committee on legislative research.

HB 574, introduced by Representatives Stevenson and Phillips, relating to child abuse and neglect.

HB 575, introduced by Representative Cooper (158), relating to collection of passport fees.

HB 576, introduced by Representatives Flook, Ervin, Baker (123), Nance, Pollock, Myers, Dempsey, Cooper (158), Parker, Moore, Behnen, Yates, Stevenson, Goodman, McGhee, Byrd, Fisher, Wright (159), Pratt, Kingery, St. Onge, Lipke, Guest, Kraus, Bivins, Cooper (155), Emery, Rector and Brown (30), relating to small business.

HB 577, introduced by Representatives Kuessner, Robinson, Kratky, Whorton, Sander, Denison, Henke, Roorda, Wagner, Dethrow, Day, Wood, Wells, Wasson and Guest, relating to city boards.

HB 578, introduced by Representatives Johnson (61), Page, Yaeger, Sanders Brooks, Chapelle-Nadal, Oxford and Sater, relating to cameras at intersections.

HB 579, introduced by Representative Johnson (61), relating to school board membership.

HB 580, introduced by Representative Byrd, relating to child abuse and neglect reports.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 98**, entitled:

An act to repeal sections 172.020, 173.005, 174.020, 174.231, 174.241, 174.250, 174.251, 174.253, 174.261, 174.300, 174.310, 174.320, 174.324, 174.450, 174.453, and 176.010, RSMo, and to enact in lieu thereof sixteen new sections relating to state institutions of higher education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 202, 33, 45, 183 & 217**, entitled:

An act to repeal section 287.845, RSMo, and to enact in lieu thereof two new sections relating to retirement, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Goodman, the House adjourned until 10:00 a.m., Thursday, February 17, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION

Thursday, February 17, 2005, Hearing Room 1 upon morning adjournment.
Presentation from the Department of Elementary and Secondary Education continued.
Meeting will begin thirty minutes after morning adjournment.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 21, 2005, 12:00 p.m. Hearing Room 5.
Markup for Departments of Transportation, Economic Development,
Insurance, Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 5.
Markup for Departments of Transportation, Economic Development,
Insurance, Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 5.
Markup for Departments of Transportation, Economic Development,
Insurance, Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 5.
Markup for Departments of Transportation, Economic Development,
Insurance, Labor and Industrial Relations.

BUDGET

Thursday, February 17, 2005, 8:00 a.m. Hearing Room 3.
Markup will be held on: HB 14

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 17, 2005, Hearing Room 1 upon morning adjournment.
Organizational meeting and any other business.

LOCAL GOVERNMENT

Thursday, February 17, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 347, HB 91

RULES

Thursday, February 17, 2005, 9:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HCS HB 94 & 185, HR 222, HR 163,
HR 134, HR 96, HR 12, HR 11, HCR 15, HCR 11, HCR 9, HCR 3

SENIOR CITIZEN ADVOCACY

Thursday, February 17, 2005, 8:00 a.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 110, HB 204, HB 228

SPECIAL COMMITTEE ON EDUCATION FUNDING

Monday, February 21, 2005, 6:00 p.m. Hearing Room 1.
Public hearing to be held on: HB 55

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.
Presentation of the annual report by the Tourism Commission.

HOUSE CALENDAR

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 17, 2005

HOUSE BILLS FOR SECOND READING

HB 560 through HB 580

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 393 - Byrd
- 2 HCS HB 441, E.C. - Lipke

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 98
- 2 SCS SBs 202, 33, 45, 183 & 217

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 17, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Ralph Robinett, Sergeant-at-Arms.

Heavenly Father, arise and have compassion on us as we return to work today.

Show us Your favor and grant us wisdom and patience to accomplish our tasks in this Session.

Heavenly Father, help us get through this Session. Be with all of us that we may show love and understanding and be considerate in our debate of the issues that come before us.

Lord, be not far off, be our strength and come quickly to help us, rescue us from the mouths of the lions, save us from the harms of the wild oxen.

Create in us a pure heart, O God, and renew a steadfast spirit within us. In the Lord's name, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Audrianna Stowe, Hannah Stowe, Elizah Stowe and Joshua Stowe.

The Journal of the twenty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 662	-	Representative Swinger
House Resolution No. 663	-	Representative Kratky
House Resolution No. 664	-	Representative Jetton
House Resolution No. 665	-	Representative Lampe
House Resolution No. 666	-	Representative Self
House Resolution No. 667		
and		
House Resolution No. 668	-	Representative El-Amin
House Resolution No. 669	-	Representative Parker
House Resolution No. 670	-	Representative Wilson (119)
House Resolution No. 671	-	Representative Kingery

House Resolution No. 672

and

House Resolution No. 673 - Representative Rucker

House Resolution No. 674 - Representative Bringer

House Resolution No. 675 - Representative Lembke

House Resolution No. 676 - Representative Pollock

House Resolution No. 677 - Representative Baker (25)

House Resolution No. 678 - Representative Boykins, et al.

SECOND READING OF HOUSE BILLS

HB 560 through **HB 580** were read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 98 and **SCS SBs 202, 33, 45, 183 & 217** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

HOUSE RESOLUTION NO. 11

WHEREAS, the members of the Missouri House of Representatives enjoy a long, proud tradition of meeting their responsibilities to the citizens of this state while upholding the virtues represented by the "Glory of Missouri": Knowledge, Liberty, Equality, Law, Justice, Fraternity, Education, Progress, Honor, Truth, Virtue, Temperance, Enterprise, and Charity; and

WHEREAS, these virtues are engraved in the House Chamber of the State Capitol with the inscription: "All the foregoing human qualities bind into one theme, the Glory of Missouri because no people attain these virtues unless they are great"; and

WHEREAS, the "Glory of Missouri" Award was created to encourage the values held by the early leaders of Missouri and to recognize those standards as exemplified in our schools and communities by this state's young people, the future of Missouri:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant permission for the House Chamber and Third Floor Rotunda area to be used for the purpose of presenting the "Glory of Missouri" Award to the young citizens of this great state on Monday, April 4, 2005, from 11:30 a.m to 1:30 p.m.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

HOUSE RESOLUTION NO. 12

WHEREAS, the members of the Missouri House of Representatives enjoy a long, proud tradition of meeting their responsibilities to the citizens of this state while upholding the virtues represented by the "Glory of Missouri": Knowledge, Liberty, Equality, Law, Justice, Fraternity, Education, Progress, Honor, Truth, Virtue, Temperance, Enterprise, and Charity; and

WHEREAS, these virtues are engraved in the House Chamber of the State Capitol with the inscription: "All the foregoing human qualities bind into one theme, the Glory of Missouri because no people attain these virtues unless they are great"; and

WHEREAS, the "Glory of Missouri" Award was created to encourage the values held by the early leaders of Missouri and to recognize those standards as exemplified in our schools and communities by this state's young people, the future of Missouri:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant permission for the House Chamber and Third Floor Rotunda area to be used for the purpose of presenting the "Glory of Missouri" Award to the young citizens of this great state on Monday, March 14, 2005, from 11:30 a.m to 1:30 p.m.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 96**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

HOUSE RESOLUTION NO. 96

WHEREAS, the members of the Missouri House of Representatives enjoy a long, proud tradition of meeting their responsibilities to the citizens of this state while upholding the virtues represented by the "Glory of Missouri": Knowledge, Liberty, Equality, Law, Justice, Fraternity, Education, Progress, Honor, Truth, Virtue, Temperance, Enterprise, and Charity; and

WHEREAS, these virtues are engraved in the House Chamber of the State Capitol with the inscription: "All the foregoing human qualities bind into one theme, the Glory of Missouri because no people attain these virtues unless they are great"; and

WHEREAS, the "Glory of Missouri" Award was created to encourage the values held by the early leaders of Missouri and to recognize those standards as exemplified in our schools and communities by this state's young people, the future of Missouri:

NOW THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant permission for the House Chamber and Third Floor Rotunda area to be used for the purpose of presenting the "Glory of Missouri" Award to the young citizens of this great state on Friday, April 15, 2005, from 10:00 a.m to 3:00 p.m.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 163**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

HOUSE RESOLUTION NO. 163

WHEREAS, the General Assembly has a tradition of granting the use of the House of Representatives and Senate Chambers for mock legislative workshops conducted by civic organizations; and

WHEREAS, the University Extension 4-H Development Program is an educational experience in state government for youth by allowing such youth, with the aid and supervision of extension staff and legislators, to participate in mock legislative hearings and floor discussions of current bills that are of interest to youth:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby grant the 4-H Citizenship Youth Forum permission to use the House Chamber on Thursday, June 30, 2005, from 9:00 a.m. until 11:30 a.m. to conduct a mock legislative session.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 222**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

HOUSE RESOLUTION NO. 222

WHEREAS, Southwest Missouri State University was founded March 17, 1905, in Springfield as Missouri State Normal School, Fourth District; and

WHEREAS, the institution has "Dared to Excel" for the past 100 years; and

WHEREAS, the Southwest Missouri State University System, including its campuses in West Plains and Mountain Grove, are celebrating the Centennial year from July 1, 2004, through June 30, 2005; and

WHEREAS, during its 100 years, the institution has had four names - Missouri State Normal School, Fourth District; Southwest Missouri State Teachers College; Southwest Missouri State College; and Southwest Missouri State University - changed each time to more accurately reflect what the institution has become; and

WHEREAS, the institution has "opened the door of opportunity" for students for the past century; and

WHEREAS, the institution and its faculty, staff, and students have distinguished themselves in academics, in research, in public service, and in co-curricular activities; and

WHEREAS, since 1995, the institution has been further distinguished by its statewide public affairs mission; and

WHEREAS, from fall 1906 to fall 2004, the number of students has grown from 173 to 20,846; and

WHEREAS, since 1906, the number of full-time faculty has increased from 8 to 718; and

WHEREAS, the institution has contributed to the economic development of the region and the state, impacting the area economy by nearly \$2 million per day; and

WHEREAS, the future is bright for the institution in the 21st century:

NOW THEREFORE BE IT RESOLVED by the members of the Missouri House of Representatives, Ninety-third General Assembly, that Thursday, March 17, 2005, be proclaimed "Southwest Missouri State University Founders Day" in the State of Missouri, with sincere appreciation and appropriate celebration of the significant contributions the institution has made to citizens of Missouri over the past 100 years.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

HOUSE CONCURRENT RESOLUTION NO. 9

WHEREAS, the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP) of the federal Social Security Act penalize people who have dedicated their lives to public and military service by taking away benefits they have earned; and

WHEREAS, nine out of ten public employees affected by the GPO lose their entire spousal benefit, even though their spouse paid Social Security taxes for many years; and

WHEREAS, the WEP causes hard-working people to lose up to sixty percent of the benefits they earned themselves; and

WHEREAS, many workers rely on misleading Social Security Administration statements that fail to take into account the GPO and WEP when projecting benefits; and

WHEREAS, the impact of the GPO and WEP is not just felt in those states in which public employees, including retired veterans, are not covered by Social Security, because people move from state to state and affected individuals are everywhere; and

WHEREAS, the GPO and WEP apply to Missouri retired veterans; and

WHEREAS, the number of people affected across the country is growing every day as more and more people reach retirement age; and

WHEREAS, some 300,000 individuals lose an average of \$3,600 a year due to the GPO which can make the difference between self-sufficiency and poverty; and

WHEREAS, these people have less money to spend in their local economy and sometimes have to turn to expensive government programs like food stamps to make ends meet; and

WHEREAS, the nation should respect, not penalize, public and military service; and

WHEREAS, the GPO and WEP are established in federal law and repeal of the GPO and WEP can only be enacted by the United States Congress:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Congress of the United States to immediately repeal the Government Pension Offset and Windfall Elimination Provision of the Social Security Act; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and the members of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, with no time limit for debate.

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, citizens have a right, protected by the Second Amendment to the United States Constitution, to keep and bear arms; and

WHEREAS, lawsuits have been commenced against manufacturers, distributors, dealers, and importers of firearms that operate as designed and intended, which seek money damages and other relief for the harm caused by the misuse of firearms by third parties, including criminals; and

WHEREAS, the manufacture, importation, possession, sale, and use of firearms and ammunition in the United States are heavily regulated by federal, state, and local laws, including the Gun Control Act of 1968, the National Firearms Act, and the Arms Export Control Act; and

WHEREAS, businesses in the United States that are engaged in interstate and foreign commerce through the lawful design, manufacture, marketing, distribution, importation, or sale to the public of firearms or ammunition that has been shipped or transported in interstate or foreign commerce are not, and should not, be liable for the harm caused by those who criminally or unlawfully misuse firearm products or ammunition products that function as designed and intended; and

WHEREAS, thirty-three states have passed legislation protecting firearms and ammunition manufacturers, and legislation in Congress supporting this measure has broad bipartisan support:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby request our elected Representatives and Senators in the United States Congress to end the abuse of tort laws against the firearms industry; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 94 & 185**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

THIRD READING OF HOUSE BILLS

HCS HB 393, relating to tort reform, was taken up by Representative Byrd.

On motion of Representative Byrd, **HCS HB 393** was read the third time and passed by the following vote:

AYES: 106

Baker 123	Barnitz	Bearden	Behnen	Bivins
Black	Bringer	Brown 30	Bruns	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Harris 110	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Selby	Self	Skaggs	Smith 118

Smith 14	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Wagner
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 052

Aull	Baker 25	Bland	Bowman	Boykins
Brooks	Brown 50	Burnett	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Haywood	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Oxford	Parker	Robinson	Roorda
Rucker	Salva	Schneider	Schoemehl	Shoemyer
Spreng	Storch	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bean	Dougherty	Walton
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 441, relating to methamphetamine precursor drugs, was taken up by Representative Lipke.

On motion of Representative Lipke, **HCS HB 441** was read the third time and passed by the following vote:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 70
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers

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Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Villa

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bean	Dougherty	Walton
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl

Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Villa

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Bean	Dougherty	Walton
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VACANCIES: 001

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 29 - Higher Education
HB 108 - Health Care Policy
HB 115 - Local Government
HB 122 - Ways and Means
HB 159 - Conservation and Natural Resources
HB 169 - Senior Citizen Advocacy
HB 203 - Tourism
HB 258 - Elementary and Secondary Education
HB 285 - Higher Education
HB 304 - Utilities
HB 306 - Ways and Means
HB 309 - Crime Prevention and Public Safety
HB 312 - Ways and Means
HB 313 - Ways and Means
HB 314 - Crime Prevention and Public Safety
HB 315 - Local Government
HB 316 - Elections
HB 319 - Elementary and Secondary Education
HB 320 - Elementary and Secondary Education
HB 321 - Ways and Means
HB 323 - Retirement
HB 324 - Crime Prevention and Public Safety
HB 325 - Crime Prevention and Public Safety
HB 326 - Job Creation and Economic Development
HB 329 - Elementary and Secondary Education
HB 330 - Children and Families

HB 335 - Crime Prevention and Public Safety
HB 336 - Local Government
HB 337 - Retirement
HB 340 - Crime Prevention and Public Safety
HB 341 - Higher Education
HB 346 - Crime Prevention and Public Safety
HB 348 - Job Creation and Economic Development
HB 349 - Local Government
HB 352 - Crime Prevention and Public Safety
HB 353 - Crime Prevention and Public Safety
HB 354 - Crime Prevention and Public Safety
HB 355 - Judiciary
HB 357 - Judiciary
HB 358 - Judiciary
HB 359 - Crime Prevention and Public Safety
HB 360 - Crime Prevention and Public Safety
HB 361 - Judiciary
HB 362 - Judiciary
HB 363 - Judiciary
HB 364 - Ways and Means
HB 366 - Judiciary
HB 367 - Agriculture Policy
HB 369 - Agriculture Policy
HB 370 - Tourism
HB 372 - Small Business
HB 373 - Senior Citizen Advocacy
HB 374 - Special Committee on Urban Issues
HB 376 - Agriculture Policy
HB 377 - Transportation
HB 378 - Elementary and Secondary Education
HB 382 - Workforce Development and Workplace Safety
HB 383 - Judiciary
HB 386 - Tourism
HB 387 - Small Business
HB 388 - Insurance Policy
HB 391 - Judiciary
HB 392 - Ways and Means
HB 396 - Judiciary
HB 397 - Health Care Policy
HB 400 - Insurance Policy
HB 401 - Health Care Policy
HB 411 - Retirement
HB 412 - Veterans
HB 413 - Special Committee on Urban Issues
HB 414 - Ways and Means
HB 416 - Ways and Means
HB 417 - Insurance Policy

HB 418 - Transportation
HB 419 - Judiciary
HB 420 - Senior Citizen Advocacy
HB 421 - Veterans
HB 431 - Job Creation and Economic Development
HB 435 - Transportation
HB 439 - Crime Prevention and Public Safety
HB 440 - Higher Education
HB 442 - Corrections and Public Institutions
HB 443 - Retirement
HB 444 - Local Government
HB 445 - Local Government
HB 446 - Corrections and Public Institutions
HB 447 - Local Government
HB 448 - Local Government
HB 451 - Tourism
HB 452 - Children and Families
HB 454 - Agriculture Policy
HB 455 - Conservation and Natural Resources
HB 456 - Judiciary
HB 458 - Retirement
HB 459 - Judiciary
HB 460 - Judiciary
HB 461 - Ways and Means
HB 462 - Health Care Policy
HB 463 - Health Care Policy
HB 465 - Local Government
HB 466 - Crime Prevention and Public Safety
HB 469 - Transportation
HB 470 - Ways and Means
HB 471 - Professional Registration and Licensing
HB 472 - Elementary and Secondary Education
HB 473 - Elementary and Secondary Education
HB 474 - Insurance Policy
HB 475 - Local Government
HB 477 - Workforce Development and Workplace Safety
HB 479 - Local Government
HB 480 - Local Government
HB 481 - Local Government
HB 482 - Professional Registration and Licensing
HB 484 - Corrections and Public Institutions
HB 485 - Local Government
HB 486 - Crime Prevention and Public Safety
HB 487 - Transportation
HB 488 - Crime Prevention and Public Safety
HB 489 - Crime Prevention and Public Safety
HB 490 - Transportation

HB 491 - Conservation and Natural Resources
HB 492 - Conservation and Natural Resources
HB 493 - Judiciary
HB 494 - Special Committee on Urban Issues
HB 495 - Judiciary
HB 496 - Insurance Policy
HB 497 - Conservation and Natural Resources
HB 498 - Crime Prevention and Public Safety
HB 499 - Crime Prevention and Public Safety
HB 506 - Workforce Development and Workplace Safety
HB 507 - Senior Citizen Advocacy
HB 508 - Special Committee on Urban Issues
HB 513 - Transportation
HB 516 - Crime Prevention and Public Safety
HB 520 - Crime Prevention and Public Safety
HB 521 - Crime Prevention and Public Safety
HB 522 - Veterans
HB 523 - Health Care Policy
HB 524 - Elections
HB 525 - Elections
HB 526 - Crime Prevention and Public Safety
HB 529 - Insurance Policy
HB 531 - Corrections and Public Institutions
HB 532 - Job Creation and Economic Development
HB 535 - Veterans

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 98 - Higher Education
SCS SBs 202, 33, 45, 183 & 217 - Retirement

COMMITTEE REPORTS

Committee on Senior Citizen Advocacy, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Senior Citizen Advocacy, to which was referred **HB 229**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Senior Citizen Advocacy, to which was referred **HB 230**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 15, introduced by Representatives Sander, Meadows, Chinn, Wood, Hobbs, Faith, Munzlinger, Dethrow, Parker and Hubbard, relating to the parks and soils tax.

HJR 16, introduced by Representatives Chinn, Hobbs, Sander, Munzlinger, Day, Guest, Quinn, Nance, Black and Dethrow, relating to the parks and soils tax.

HJR 17, introduced by Representatives Munzlinger, Chinn, Sander, Hobbs, Smith (118), Sater, Faith, Behnen, Cunningham (145), Harris (110), Quinn, Dethrow, Guest, May, Schad, Johnson (47), Sutherland, Loehner, Day, Dougherty, Pearce, Myers, Aull and Hughes, relating to the parks and soils tax.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 581, introduced by Representatives Wilson (130), Munzlinger, Wildberger, Brown (30), McGhee, Myers, Dougherty, Lampe, Jolly, Dusenberger, Dixon, Ruestman and Jackson, relating to fees for copies of veterans' death certificates.

HB 582, introduced by Representative Myers, relating to small claims actions.

HB 583, introduced by Representative Swinger, relating to the designation of a certain highway.

HB 584, introduced by Representative Lager, relating to the career ladder program.

HB 585, introduced by Representatives Schaaf, Threlkeld, Page, Salva, Smith (118), Dixon, Wasson, Richard, Cooper (155), Dusenberger, Denison, Johnson (47), Davis, Ruestman, Hunter, Roark, Bivins, Deeken, Wright (137), Jackson, Phillips, Swinger, Fisher, Yates, Schneider, Dougherty, Hoskins and LeVota, relating to certificate of need.

HB 586, introduced by Representatives Sander, Phillips, Wood, Day, Fisher, Harris (110), Chinn, Hobbs, Portwood, Moore, Bivins, Cooper (158), Behnen, Myers, Cunningham (145), Hunter, Jetton, Quinn, Sutherland, Threlkeld, Nance, Roark, Dempsey, Schaaf, Bean, Lembke, Cooper (155), Davis, Nieves, Black, Kingery, McGhee, May, Emery, Bruns, Rupp, Nolte, Bearden, Dusenberger, Pollock, Sater, Rector, Deeken, Shoemyer, Ruestman, Flook, Schad, Henke, Meadows, Casey, Yates, Parson, Loehner, Icet, Stevenson, Meiners, Dougherty, Self, Tilley, Munzlinger, Denison, Weter, Wells, Franz, Dethrow, Wasson, Pratt, Ervin, Cunningham (86), Faith, Yaeger, Kratky, Schoemehl, Robinson, Kuessner, Kraus, Spreng, Brown (50), Selby, Bringer, Barnitz, Wright (137), Villa, Salva, Swinger, Burnett and George, relating to public funds.

HB 587, introduced by Representative Yaeger, relating to the operation of motor vehicles.

HB 588, introduced by Representatives Myers, Hobbs and Stevenson, relating to licensure of private applicators of pesticides.

HB 589, introduced by Representatives Lowe (44) and Moore, relating to real-time captioning of certain television programming.

HB 590, introduced by Representative Cooper (120), relating to parking on the Capitol grounds.

HB 591, introduced by Representatives Schlottach and Cooper (155), relating to licenses to transport persons or property.

HB 592, introduced by Representative Cooper (120), relating to excursion gambling boats.

HB 593, introduced by Representatives Portwood, Wright (137), Bearden, Goodman, Nieves and Smith (14), relating to police officer residency requirements.

WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

February 17, 2005

Mr. Stephen Davis, Chief Clerk
Missouri House of Representatives
Room 306-C, State Capitol
Jefferson City, MO 65101

Dear Mr. Davis:

I respectfully request that **House Concurrent Resolution No. 3** be withdrawn. Thank you for your consideration in this matter.

Sincerely yours,

/s/ Jack Jackson
89th District

COMMUNICATION

February 16, 2005

Mr. Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Chief Clerk:

Please be advised that my husband, former State Senator Phil B. Curls, does lobby for HCA & SSM in the state of Missouri.

If there are questions, feel free to let me know.

Sincerely,

/s/ Melba J. Curls
State Representative
41st District

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday February 21, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 4.

Markup will be held on: HB 6

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 4.

Markup will be held on: HB 6

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 4.

Markup will be held on: HB 6

APPROPRIATIONS - EDUCATION

Monday, February 21, 2005, 9:00 a.m. Hearing Room 1.

Executive session.

Markup will be held on: HB 2

APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 1.

Executive session.

Markup will be held on: HB 2, HB 3

APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 1.

Executive session.

Markup will be held on: HB 2, HB 3

APPROPRIATIONS - EDUCATION

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 1.

Executive session.

Markup will be held on: HB 3

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 21, 2005, 11:00 a.m. Hearing Room 3.

Medicaid eligibility. Cost sharing in the medicaid program.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 3.

Access to Mental Health services. Medicaid and Department of Health and Senior Services pharmacy programs.

Recess at 10:00 a.m., reconvene at 2:00 p.m. Hearing room 3.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 6.

Mark up for Department of Public Safety and/or Department of Corrections.

Will reconvene at 2:45 p.m.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 21, 2005, 12:00 p.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations. CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

BUDGET

Monday, February 21, 2005, Hearing Room 3 upon evening adjournment.

Executive session will be held on: HB 14

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 22, 2005, 6:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 27, HB 126, HB 177, HB 430, HB 389

ELECTIONS

Tuesday, February 22, 2005, 6:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 255, HB 524

Executive session will be held on: HB 66, HB 107

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Tuesday, February 22, 2005, 3:30 p.m. Senate Committee Room 1.

Organizational meeting. Executive session may or may not follow.

JOINT COMMITTEE ON EDUCATION

Tuesday, February 22, 2005, 8:00 p.m. Senate Committee Room 2.

New foundation formula discussion and simulations.

Overflow will be available in Senate Committee Room 1.

LOCAL GOVERNMENT

Monday, February 21, 2005, Hearing Room 6 upon afternoon adjournment.

Executive session may follow.

Executive session will be held on: HB 347, HB 114

LOCAL GOVERNMENT

Thursday, February 24, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 200, HB 342, HB 343, HB 344, HB 345, HB 404

RULES

Monday, February 21, 2005, 3:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HR 134, HCS HB 468

SPECIAL COMMITTEE ON EDUCATION FUNDING

Monday, February 21, 2005, 6:00 p.m. Hearing Room 1.

Public hearing to be held on: HB 55

SPECIAL COMMITTEE ON URBAN ISSUES

Monday, February 21, 2005, Hearing Room 4 upon evening adjournment.

Executive session to follow.

Public hearings to be held on: HB 286, HB 438

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

WAYS AND MEANS

Wednesday, February 23, 2005, Hearing Room 7 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HB 291, HB 461

HOUSE CALENDAR

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 21, 2005

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 15 through HJR 17

HOUSE BILLS FOR SECOND READING

HB 581 through HB 593

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 21, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, Your instruction is perfect, reviving the soul.
Your testimony is trustworthy, making the inexperienced wise.
Your precepts are right, making the heart glad.
Your directions are plain and easy on the eyes.
Your reputation is pure, enduring forever.
Your decrees are reliable and altogether righteous.

Remind us throughout this week that these principles are more desirable than gold and in keeping them there is great reward.

Deliver us from presumptuous thinking and may it not rule over us.

Now may the grace of our Lord rest and abide with each of us....

In the eternal name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-fifth day was approved as printed by the following vote:

AYES: 153

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany

Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bean	Bowman	Dougherty	Hubbard
Kelly	Lowe 44	Wagner	Young	

VACANCIES: 001

HOUSE CONCURRENT RESOLUTIONS

Representative Bearden, et al., offered House Concurrent Resolution No. 21.
Representative Bivins offered House Concurrent Resolution No. 22.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 679 - Representative Bland
House Resolution No. 680
and
House Resolution No. 681 - Representative Brown (30)
House Resolution No. 682
through
House Resolution No. 684 - Representative Lager
House Resolution No. 685 - Representative Sander
House Resolution No. 686 - Representative Lampe
House Resolution No. 687
through
House Resolution No. 695 - Representative Pearce
House Resolution No. 696
through
House Resolution No. 703 - Representative Lager
House Resolution No. 704 - Representative Sutherland
House Resolution No. 705 - Representative Lager

House Resolution No. 706
through
House Resolution No. 708 - Representative Brown (30)
House Resolution No. 709 - Representative Deeken
House Resolution No. 710 - Representative Cooper (158)
House Resolution No. 711
through
House Resolution No. 713 - Representative Schoemehl
House Resolution No. 714 - Representative Jones
House Resolution No. 715 - Representative Pollock
House Resolution No. 716 - Representative Kingery

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 15 through **HJR 17** were read the second time.

SECOND READING OF HOUSE BILLS

HB 581 through **HB 593** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 15 - Conservation and Natural Resources
HJR 16 - Conservation and Natural Resources
HJR 17 - Conservation and Natural Resources

COMMITTEE REPORTS

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 114**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 347**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 18, introduced by Representatives Kraus, Brown (30), Dusenberg, Yates, Goodman, Behnen, Munzlinger, Moore, Jackson, Fisher and Flook, relating to taxation of veterans' organizations.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 594, introduced by Representatives Ruestman, Cunningham (145), Hunter, Sutherland, Nieves, Shoemyer, Byrd, Pollock, Cooper (120), Kuessner, Salva, Meadows, Wood and Dethrow, relating to torts and actions for damages.

HB 595, introduced by Representative Deeken, relating to persons excused from jury service.

HB 596, introduced by Representative Schaaf, relating to health insurance benefits for employees.

HB 597, introduced by Representatives Whorton, Myers, Witte, Schad, Shoemyer, Munzlinger and Henke, relating to biodiesel fuel.

HB 598, introduced by Representative Sutherland, relating to nursing home administrators.

HB 599, introduced by Representative Cooper (155) and Weter, relating to professional counselors.

HB 600, introduced by Representatives Cooper (155), Robb, Sater, Weter and Schaaf, relating to licensing requirements for professional counselors.

HB 601, introduced by Representatives Johnson (61), Smith (118), Byrd, Smith (14), Schoemehl, Baker (25), Yaeger, Whorton and Fraser, relating to suicide prevention.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 270**, entitled:

An act to repeal sections 30.247, 30.250, 30.260, 30.270, 30.440, 30.750, 30.753, 30.756, 30.758, 30.760, 30.765, 30.767, 30.830, and 30.840, RSMo, and to enact in lieu thereof sixteen new sections relating to the state treasurer, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Bowman, Kelly, Lowe (44), Wagner and Young.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, February 22, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, February 22, 2005, 12:00 p.m. Hearing Room 1.

Executive session may follow.

There will be a 20 minute presentation by Farm Credit Systems Info. AMENDED

Public hearings to be held on: HB 376, HB 305, HB 454, HB 368

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 4.

Markup. Executive session may follow. AMENDED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 4.

Markup. Executive session may follow. AMENDED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 4.

Markup. Executive session may follow. AMENDED

APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 1.

Markup. Executive session.

APPROPRIATIONS - EDUCATION

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 1.

Markup. Executive session.

APPROPRIATIONS - EDUCATION

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 1.

Markup. Executive session. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 7.

Budget to be reviewed: General Assembly

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 7.

Markup - Office of Administration - Public Debt/Board of Fund Commissioners
- Statewide elected officials (Governor, Lt. Governor, Secretary of State, Auditor, Attorney General, Treasurer). AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 7.

Executive session.

Markup - Office of Governor, Lt. Governor, Secretary of State, Treasurer, Attorney General, Auditor, Department of Revenue, Office of Administration - Public Debt, Employee benefits, General Assembly, Public Defender, Judiciary.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 3.

Access to Mental Health services. Medicaid and Department of Health and Senior Services pharmacy programs. Recess at 10:00 a.m., reconvene at 2:00 p.m. Hearing room 3.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 6.

Markup for Department of Public Safety and/or Department of Corrections.
Will reconvene at 2:45 p.m.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 6.

Markup will take place for both departments.

Executive session may follow. Committee will reconvene at 6:00 p.m.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 22, 2005, 8:00 a.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, February 22, 2005, 2:45 p.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

CHILDREN AND FAMILIES

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 205

Executive session may be held on: HB 100

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 23, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HJR 8, HB 192, HB 130

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 22, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 27, HB 126, HB 177, HB 430, HB 389

ELECTIONS

Tuesday, February 22, 2005, 6:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 255, HB 524

Executive session will be held on: HB 66, HB 107

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow. Public hearing on HB 258 if time allows.

Public hearing to be held on: HB 145

FINANCIAL INSTITUTIONS

Tuesday, February 22, 2005, Side Gallery upon morning adjournment.

Executive session will be held on: HB 379

HEALTH CARE POLICY

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 6.

Public hearings to be held on: HB 401, HB 108, HB 131

Executive session will be held on: HB 131

HIGHER EDUCATION

Tuesday, February 22, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SS SCS SB 98

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 23, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 326, HB 32, HB 348

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Tuesday, February 22, 2005, 3:30 p.m. Senate Committee Room 1.

Organizational meeting. Executive session may or may not follow.

JOINT COMMITTEE ON EDUCATION

Tuesday, February 22, 2005, 8:00 p.m. Senate Committee Room 2.

New foundation formula discussion and simulations.

Overflow will be available in Senate Committee Room 1.

JUDICIARY

Tuesday, February 22, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 50, HB 137, HB 178

LOCAL GOVERNMENT

Thursday, February 24, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow. AMENDED

Public hearings to be held on: HB 200, HB 342, HB 343, HB 344, HB 345, HB 448

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 23, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 182, HB 402

Executive session will be held on: HB 56, HB 174

RETIREMENT

Wednesday, February 23, 2005, 6:00 p.m. Hearing Room 7.

Executive session will follow. AMENDED

Public hearings to be held on: HB 195, HB 323, HB 411, HB 443

RULES

Tuesday, February 22, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HCS HB 347

TOURISM

Tuesday, February 22, 2005, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 203, HB 370, HB 386, HB 451

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

TRANSPORTATION

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 423, HB 490, HB 377, HB 307

VETERANS

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 5.

Executive session will follow. Reconsideration of HCS for HB 94 and HB 185.

Public hearing to be held on: HB 437

WAYS AND MEANS

Wednesday, February 23, 2005, Hearing Room 7 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HB 291, HB 461

HOUSE CALENDAR

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 22, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 18

HOUSE BILLS FOR SECOND READING

HB 594 through HB 601

HOUSE BILL FOR PERFECTION

HCS HB 468 - Richard

HOUSE BILLS FOR PERFECTION - CONSENT

(2/22/05)

1 HB 248 - Pearce

2 HCS HB 297 - Pearce

SENATE BILL FOR SECOND READING

SCS SB 270

HOUSE CONCURRENT RESOLUTION

HCR 11, (2-17-05, Pages 351-352) - Sander

HOUSE RESOLUTIONS

- 1 HR 11, (2-17-05, Page 348) - Pratt
- 2 HR 12, (2-17-05, Page 349) - Pratt
- 3 HR 96, (2-17-05, Page 349) - Portwood
- 4 HR 163, (2-17-05, Pages 349-350) - Jones

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 22, 2005

The House met pursuant to adjournment.

Representative Quinn in the Chair.

Prayer by Father David Buescher.

Healing God, remind us today of the old saying, "Sticks and stones may break my bones, but names can never hurt me." You know, Lord, that's true - unless WE LET THEM.

Give today to all these men and women gathered here a double portion of Your kind of inner serenity, and that manner of wisdom which knows when to speak and when to embrace the silence.

And let their words be said or not said, not just for personal gain, but for the good of their constituents and of the whole state. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashley Rhoads, Claire Zaupe, Courtney Zoeller, Caroline Brockhaus, Michelle Scherrer and Taylor Daniels.

The Journal of the twenty-sixth day was approved as printed by the following vote:

AYES: 155

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson

Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bean	Bowman	Dougherty	Hubbard
Smith 118	Yates			

VACANCIES: 001

SPECIAL RECOGNITION

The Officers of the Missouri State Future Farmers of America were introduced by Representative Quinn.

Ms. Susan Bernt, President of the Missouri State Future Farmers of America, addressed the House.

Speaker Pro Tem Bearden assumed the Chair.

HOUSE RESOLUTIONS

Representative Deeken offered House Resolution No. 717.

Representative Lampe, et al., offered House Resolution No. 720.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 718 - Representative Wells

House Resolution No. 719 - Representative Selby

House Resolution No. 721 - Representative Lager

House Resolution No. 722

and

House Resolution No. 723 - Representative Munzlinger

House Resolution No. 724

through

House Resolution No. 726 - Representative Wood

House Resolution No. 727 - Representative Roorda

House Resolution No. 728
through
House Resolution No. 730 - Representative Kraus
House Resolution No. 731 - Representative Hubbard
House Resolution No. 732 - Representatives Darrough and Spreng
House Resolution No. 733 - Representative Sander
House Resolution No. 734 - Representative Lager
House Resolution No. 735 - Representative Phillips
House Resolution No. 736 - Representative Richard
House Resolution No. 737 - Representative Bowman, et al.
House Resolution No. 738 - Representative Burnett

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 18 was read the second time.

SECOND READING OF HOUSE BILLS

HB 594 through **HB 601** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 270 was read the second time.

COMMITTEE REPORT

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 347**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTIONS

HR 11, relating to use of chamber, was taken up by Representative Pratt.

On motion of Representative Pratt, **HR 11** was adopted.

HR 12, relating to use of chamber, was taken up by Representative Pratt.

On motion of Representative Pratt, **HR 12** was adopted.

HR 96, relating to use of chamber, was taken up by Representative Portwood.

On motion of Representative Portwood, **HR 96** was adopted.

HR 163, relating to use of chamber, was taken up by Representative Jones.

On motion of Representative Jones, **HR 163** was adopted.

RECESS

On motion of Representative Dempsey, the House recessed until 11:30 a.m. for the purpose of receiving an address from Senator Christopher S. Bond.

The hour of recess having expired, the House was called to order by Speaker Jetton.

Senator Bond addressed the House.

With the elections over, I am delighted to get back to work.

My old colleague Alan Simpson used to say that Presidential election-year politics remind him of lightning hitting the outhouse.

My Congratulations to you all and to the Governor and his new team.

We have a lot of hard work to do and I wouldn't have it any other way.

The President has set a challenging second-term agenda for Washington.

Whether one supports or opposes his agenda, President Bush has proven to be a leader who is not afraid to believe in big ideas, does not shy away from criticism, and has the courage to take on tough issues that most might choose rather to defer.

We need to complete a highway bill which improves the foundation for future efficiency, economic growth, job creation, and safety.

We are currently building the strategy to do just that and my goal is to maximize funds for Missouri priorities and we expect legislative action to be underway this spring.

With Tom Daschle now returned to the private sector, we hope to win passage of a new energy bill to increase opportunities for domestic producers of energy including our farmers while decreasing our reliance on expensive foreign sources of energy.

This month, we had a tremendous victory with final passage of Class Action legal reform to help protect the rights of plaintiffs to win remedies they deserve without imposing the costly jackpot system of civil justice on our economy that has been benefitting primarily tort lawyers.

Again, another ray of hope that the strategy of obstruction in Washington has diminished clout.

The next legal reform priority will be to address medical malpractice which drives up the cost of medicine and makes it harder for patients to find doctors.

We have a budget that is tough medicine and shows the President is willing to make hard decisions that are necessary.

While the Congress will certainly make modifications to the details of the President's budget, I believe that we will have to meet his overall budget targets and that will not be easy.

The solution of some will be not to tighten the belt, but just to buy a bigger belt by raising taxes.

This, we will resist because a \$2.5 trillion budget should be enough and we cannot afford to frustrate our economy with higher taxes as we struggle to grow out of the recession and to create more jobs.

The President has boldly stepped up to the plate to suggest that we strengthen Social Security for not just this, but for the next generations.

In response, Senator Schumer from New York said he will filibuster the President's plan - a plan which has not been released.

We can only assume, Senator Schumer plans either to support higher social security taxes or do nothing as an alternative.

Last week, I introduced new election reform legislation to continue the goal of making it easier to vote and harder to cheat which includes new security features to ensure legitimate voters are not cheated by illegal votes.

Soon, I will be introducing legislation to build on the tremendous success of "Parents as Teachers" program we began here in Missouri.

Parents as Teachers is now 21 years old which shows my age.

It began as an experiment in Missouri and has expanded to more than 3,000 sites in all 50 states and six foreign countries.

My new legislation, called the, "Education Begins at Home Act" will authorize the first, dedicated federal funding stream to support Parents as Teachers at the state and local levels.

When authorized and funded, there will be ten times more families receiving PAT services.

To help States improve air quality and cope with federal regulations, I am hopeful that the Senate can pass the President's "Clear Skies" Initiative.

Clear Skies will force massive pollution cuts from electric power plants:

- 70 percent cut of acid rain causing sulfur dioxide
- 70 percent cut of smog causing nitrogen oxides
- 70 percent cut of mercury

The 70 percent mercury cut represents the first time we have ever required mercury pollution cuts from power plants.

Clear Skies pollution cuts will clean up local air pollution in areas that violate federal standards like St. Louis and Kansas City - so much so that dreaded local controls like road building and manufacturing restrictions will not be needed.

Finally, the President remains committed to freedom and security and the leading role of America as the world's only super power.

I have visited those who have suffered for the freedom and safety of others during my visits to Walter Reed and Bethesda Naval and my son - a new Marine - is leaving this week for Iraq so I have a personal understanding that the history of man's pursuit of freedom is always costly.

It is surpassed only by the human cost of tyranny, oppression, and unbridled aggression.

We must remain resolute and ensure that those who are on the battle lines of this new threat to freedom know they have the tools, the resources, and the moral support from those back home.

We know America's finest on the front line won't crack under fire. We have to make sure the terrorists know that the American public will not crack behind the wall of safety provided by those on the front lines.

We have been tested a great many times since our founders declared that persons have a right to liberty endowed by our Creator.

The Iraqi people who bravely voted for liberty and against terror under threat of death is a modern reminder of the enduring wisdom of our founders.

In our country, it took 15 years after declaration and a war to approve a Constitution and elect a President and another 75 years and our bloodiest war - a civil war - to ensure that all people are above slavery.

It took another 55 years to permit women to vote and another 45 years to ensure that black American adults could vote.

So the road ahead in the Middle East will be difficult to transition to liberty from a deprived and despotic region known more for producing terror than opportunity.

But who among us, four years ago, could have imagined that the Palestinians would have a legitimate leader who is honestly seeking peace with Israel while a pro-western ally against terror would be inaugurated in Afghanistan and an Iraq - without Saddam and his despicable sons - would hold a legitimate election.

The concept of freedom taking hold in a region some thought incapable of freedom is proving contagious and making nervous opponents of freedom in Iran, Syria and Saudi Arabia.

From the Revolutionary War to the Civil War to the World Wars through the Cold War, we have not failed freedom and we can not fail it here.

There is too much at stake. There are too many threats and too many opportunities for us not to prevail.

Once again, we have a great deal of important work to do - an opportunity that is not daunting, but inspiring.

Let's get to it.

COMMITTEE REPORTS

Committee on Budget, Chairman Lager reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 14**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SS SCS SB 98**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 135**, begs leave to report it has examined the same and recommends that the **House**

Committee Substitute Do Pass by Consent, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 40**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Tourism, Chairman Marsh reporting:

Mr. Speaker: Your Committee on Tourism, to which was referred **HB 370**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 19, introduced by Representative Brown (30), relating to appropriations for public education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 602, introduced by Representative Wagner, relating to police relief and pension systems.

HB 603, introduced by Representative Schaaf, relating to any willing providers for health insurance.

HB 604, introduced by Representative Schaaf, relating to state-qualified health coverage option plans for the federal health coverage tax credit.

HB 605, introduced by Representatives Cooper (158), Franz, Wells, Sater, Moore, Denison, Muschany, Dusenberg, Wright (159), Dempsey, Schlottach, Cunningham (86), Threlkeld and Dixon, relating to the Missouri foundation for health.

HB 606, introduced by Representative Lembke, relating to police relief and pension systems.

HB 607, introduced by Representative Brown (30), relating to the prevailing wage.

HB 608, introduced by Representatives Brown (30), Phillips, Dusenberg, Sanders Brooks, Skaggs, Hughes, Pratt, Lowe (44), Jolly, Bland, Johnson (47), Curls, Flook, Burnett, LeVota, Kraus, Jones, Lipke, Roorda, Casey, Johnson (90), Meiners, Low (39), Brown (50), Young, Salva, Dixon, Bearden, Nieves, Bruns and Dempsey, relating to prohibited activities by Kansas City police officers.

HB 609, introduced by Representative Kratky, relating to police relief and pension systems.

HB 610, introduced by Representative Kratky, relating to police retirement systems.

HB 611, introduced by Representatives Zweifel, Darrough, Dougherty, Oxford, Storch and Donnelly, relating to campaign finance regulations for certain general assembly leadership offices.

HB 612, introduced by Representatives Wells, Johnson (47), Wilson (119), Dixon, Denison, Dethrow, Sater, Munzlinger, Wallace, Loehner, Pollock, Barnitz, Wright (137), Chinn and Swinger, relating to protection of bridges.

COMMUNICATION

February 22, 2005

Steve Davis, Chief Clerk
Missouri House of Representatives
The State Capitol
Jefferson City, MO 65101

Dear Mr. Davis:

Per RSMo 105.461, I am informing you that my husband, Scott Taylor, is serving on the Re-Discover Mental Health and Substance Abuse Service Board.

Please contact me if you have any questions.

Very truly yours,

/s/ Cathy Jolly

The following members' presence was noted: Bowman, Hubbard, Smith (118) and Yates.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, February 23, 2005.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 4.

Markup. Executive session may follow. AMENDED

APPROPRIATIONS - EDUCATION

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 1.

Markup. Executive session. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 7.

Executive session - Markup - Office of Governor, Lt. Governor, Secretary of State, Treasurer, Attorney General, Auditor, Department of Revenue, Office of Administration - Public Debt, Employee benefits, General Assembly, Public Defender, Judiciary.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 6.

Markup will take place for both departments.

Executive session may follow. Committee will reconvene at 6:00 p.m.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 23, 2005, 2:45 p.m. Hearing Room 5.

Markup for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations.

CHILDREN AND FAMILIES

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 205

Executive session may be held on: HB 100

CONSERVATION AND NATURAL RESOURCES

Wednesday, February 23, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HJR 8, HB 192, HJR 16

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow. Public hearing on HB 258 if time allows.

Public hearing to be held on: HB 145

HEALTH CARE POLICY

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 6.

Public hearings to be held on: HB 401, HB 108, HB 131

Executive session will be held on: HB 131

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 23, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 326, HB 32, HB 348, HB 227

LOCAL GOVERNMENT

Thursday, February 24, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow. AMENDED

Public hearings to be held on: HB 200, HB 342, HB 343, HB 344, HB 345, HB 448

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 23, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 182, HB 402

Executive session will be held on: HB 56, HB 174

RETIREMENT

Wednesday, February 23, 2005, 6:00 p.m. Hearing Room 7.

Executive session will follow. AMENDED

Public hearings to be held on: HB 195, HB 323, HB 411, HB 443

RULES

Wednesday, February 23, 2005, 3:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HCS HB 14, SS SCS SB 98

SENIOR CITIZEN ADVOCACY

Thursday, February 24, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 169, HB 373, HB 420, HB 507, HB 141

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

TRANSPORTATION

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 423, HB 490, HB 377, HB 307

UTILITIES

Wednesday, February 23, 2005, Hearing Room 5 upon morning adjournment.

Hearing will begin at 12:00 p.m. if session ends early.

Executive session may follow.

Public hearing to be held on: HB 338

VETERANS

Wednesday, February 23, 2005, 8:00 a.m. Hearing Room 5.

Executive session will follow. Reconsideration of HCS for HB 94 and HB 185.

Public hearing to be held on: HB 437

WAYS AND MEANS

Wednesday, February 23, 2005, Hearing Room 7 upon morning adjournment.

Possible Executive session.

Public hearings to be held on: HB 291, HB 461

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 23, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 148, SS SCS SB 1 & 130

HOUSE CALENDAR

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 23, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 19

HOUSE BILLS FOR SECOND READING

HB 602 through HB 612

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 468 - Richard
- 2 HCS HB 347 - Pratt

HOUSE BILLS FOR PERFECTION - CONSENT

(2/22/05)

- 1 HB 248 - Pearce
- 2 HCS HB 297 - Pearce

HOUSE CONCURRENT RESOLUTION

HCR 11, (2-17-05, Pages 351-352) - Sander

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 23, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, some may take great pride in their work, some in their possessions and others in their accomplishments, but we take pride in the name of the LORD our God. Many collapse and fall in their own strength, but we rise and stand firm in Your strength. O LORD, give us success in our endeavors. May You answer us each time we call.

Whatever our hands find to do, may we do it with all our strength, trusting always in You. There is no work, planning, knowledge, or wisdom accomplished adequately apart from You.

May we consider wisely the many bills set before us this day, may the debates be lively but fruitful, and at the end of the day, may we rest with confidence knowing that we have done our best.

Now may the grace of our Lord rest and abide with each of us throughout this day.

In the exalted name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Kaitlyn Young.

The Journal of the twenty-seventh day was approved as printed.

SPECIAL RECOGNITION

The Blair Oaks Falcons Football Team was introduced by Representative Bruns and recognized for achieving the status of Missouri Class 2A State Champions.

HOUSE RESOLUTIONS

Representative Stevenson offered House Resolution No. 741.

Representative Bruns offered House Resolution No. 757.

HOUSE CONCURRENT RESOLUTIONS

Representative Sutherland, et al., offered House Concurrent Resolution No. 23.

Representative Bowman, et al., offered House Concurrent Resolution No. 24.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 739 - Representatives Goodman and Sater

House Resolution No. 740 - Representative Phillips

House Resolution No. 742

through

House Resolution No. 744 - Representative Selby

House Resolution No. 745

and

House Resolution No. 746 - Representative Jackson

House Resolution No. 747 - Representative Cooper (158)

House Resolution No. 748 - Representative Kuessner

House Resolution No. 749 - Representative Robinson

House Resolution No. 750 - Representatives Deeken and Bruns

House Resolution No. 751

through

House Resolution No. 753 - Representative Lager

House Resolution No. 754 - Representative Swinger

House Resolution No. 755 - Representative Donnelly, et al.

House Resolution No. 756 - Representative Johnson (61)

House Resolution No. 758

and

House Resolution No. 759 - Representative Nance

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 19 was read the second time.

SECOND READING OF HOUSE BILLS

HB 602 through **HB 612** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 14**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 98**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 5 hours for debate on Third Reading**.

PERFECTION OF HOUSE BILL

HCS HB 468, relating to the Linked Deposit Program, was taken up by Representative Richard.

Representative Lager offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 468, Page 20, Section 30.860, Line 71, by inserting after all of said line the following:

"Section 1. 1. There is hereby created in the state treasury the "State Treasurer's General Operations Fund" which shall receive deposits, make disbursements and be administered in compliance with the provisions of this section.

2. Subject to appropriation, moneys in the state treasurer's general operations fund shall be used solely to pay for personal service, equipment and other expenses of the state treasurer related to the state treasurer's constitutional and statutory responsibilities, exclusive of any personal service, equipment and other expenses attributable to positions wholly dedicated to the functions described in chapter 447, RSMo. The commissioner of administration shall review and approve all requests of the state treasurer of disbursements from the state treasurer's general operations fund for compliance with the provisions of this section. Nothing in this section shall be deemed to prevent the general assembly from making appropriations to the state treasurer from other permissible sources.

3. Notwithstanding any other provisions of law to the contrary, moneys shall be deposited in the state treasurer's general operations fund and administered in accordance with the following provisions:

(1) On a daily basis, the state treasurer shall apportion any interest or other increment derived from the investment of funds in an amount proportionate to the average daily balance of funds in the state treasury. The state treasurer shall use a method in accordance with generally accepted accounting principles in apportioning and distributing that interest or increment. Prior to distributing that interest or increment, the state treasurer shall deduct the costs incurred by the state treasurer in administering this chapter in proportion to the average daily balance of the amounts deposited to each fund in the state treasury. The state treasurer shall then deposit the identified portion of the daily interest receipts in the "State Treasurer's General Operations Fund". All other remaining interest received on the investment of state funds shall be allocated and deposited to funds within the state treasury as required by law.

(2) The total costs for personal service, equipment and other expenses of the state treasurer related to the state treasurer's constitutional and statutory responsibilities, exclusive of any personal service, equipment and other expenses attributable to positions wholly dedicated to the functions described in chapter 447, RSMo, and any banking fees and other banking-related costs, shall not exceed ten basis points, or one-tenth of one percent, of the total of the average daily fund balance of funds within the state treasury.

4. Notwithstanding the provisions of section 33.080, RSMo, moneys in the "State Treasurer's General Operations Fund" shall not lapse to the general revenue fund at the end of the biennium unless and only to the extent to which the amount in the fund exceeds the annual appropriations from the fund for the current fiscal year.

Section B. Because of the need to provide consistent funding to the State Treasurer's Office to allow the office's primary functions to proceed in a timely and efficient manner, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) assumed the Chair.

Representative Johnson (90) offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1, Page 2, Line 6 for House Committee Substitute for House Bill No. 468 by deleting the words, “**State Treasurer’s General Operations Fund**” and inserting in lieu thereof the following words, “**“First Steps Program” to be used for the administration and implementation of IDEA, Part C, through the first steps program, and shall promulgate regulations implementing the requirements of Part C of IDEA, consistent with federal regulations, 34 C.F.R. 303, et seq.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 157

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery Bean Nolte Parker

VACANCIES: 001

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Lager, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 152

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Munzlinger	Muschany	Nance
Nieves	Oxford	Page	Parker	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 004

Myers Roark Smith 118 Whorton

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery
Salva

Bean

Moore

Nolte

Parson

VACANCIES: 001

On motion of Representative Richard, **HCS HB 468, as amended**, was adopted.

On motion of Representative Richard, **HCS HB 468, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 100**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 365**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 379**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 131**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 49** and **HB 50**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was returned **HCS HBs 94 & 185**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 613, introduced by Representatives Kelly, Schlottach, Nieves, Deeken, Wells, Roark and Wilson (130), relating to sales tax exemptions.

HB 614, introduced by Representative Bruns, to authorize the conveyance of property owned by the state in Cole County to the Regional West Fire District.

HB 615, introduced by Representatives Roorda, Wildberger and Meadows, relating to the right to petition for a trial de novo.

HB 616, introduced by Representatives Roorda and Meadows, relating to vintage wine sales by municipalities.

HB 617, introduced by Representatives Kelly, Wells, Day and Wallace, relating to watershed districts.

HB 618, introduced by Representatives Bearden, Behnen, Wagner, Lager, Moore, Wildberger, Barnitz and Icet, relating to exemptions to highway patrol personnel.

HB 619, introduced by Representatives Bruns and Deeken, to authorize the conveyance of property owned by the state in Cole County.

HB 620, introduced by Representatives Schaaf, Cooper (155), Page and Threlkeld, relating to physician referrals for medical diagnosis.

HB 621, introduced by Representatives Wright-Jones, Chappelle-Nadal, Haywood, Bowman, Brown (50), Curls, Fraser, Baker (25), Bland, Hoskins, Donnelly, Whorton, Walton, Darrough, Zweifel and Johnson (61), relating to contraception.

HB 622, introduced by Representatives Kuessner, Harris (110), Henke, Wagner, Robinson, Bringer, Shoemyer, Witte, Aull, Barnitz and Swinger, relating to premium rates for medical malpractice insurance.

HB 623, introduced by Representative Skaggs, relating to state employee retirement.

HB 624, introduced by Representative Skaggs, relating to public retirement systems.

HB 625, introduced by Representative Skaggs, relating to public retirement systems.

HB 626, introduced by Representative Schaaf, relating to health care data collection and reporting.

HB 627, introduced by Representatives Bivins, Villa, McGhee, Wood, Parker, Flook and Wilson (119), relating to water pollution control bonds.

HB 628, introduced by Representative Byrd, relating to unlawful discriminatory practice in employment.

HB 629, introduced by Representatives Pollock, Richard, Sutherland, Sater, Goodman, Ruestman, Nieves, Cooper (120), Dixon, Kraus, Flook, Wells, Lipke, McGhee, Jones, Wright (159), Parson, Day, Tilley, Nance, Emery, Denison, Schad, Kingery, St. Onge and Munzlinger, relating to local economic development sales tax.

HB 630, introduced by Representative Pollock, relating to not-for-profit corporations.

HB 631, introduced by Representative Portwood, to authorize the governor to convey land owned by the state in the City of Manchester.

HB 632, introduced by Representatives Sutherland, Schlottach, Pearce, Cooper (158), Threlkeld, Icet, Dixon, Faith, Cooper (120), May, Jetton and Richard, relating to bicycle safety.

HB 633, introduced by Representatives Lipke and Bringer, relating to drug regulations.

HB 634, introduced by Representatives Myers, Hobbs, Munzlinger and Quinn, relating to the Missouri highway safety enforcement division.

HB 635, introduced by Representative St. Onge, relating to passing zones.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 24**, entitled:

An act to repeal section 488.426, section 488.429, RSMo, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill nos. 795, 972, 1128 & 1161, ninety-second general assembly, second regular session, and section 488.429, RSMo, as enacted by senate committee substitute for house committee substitute for house bill no. 798 merged with house committee substitute for senate bill no. 1211, ninety-second general assembly, second regular session, and to enact in lieu thereof two new sections relating to limitations on the use of law library funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 69**, entitled:

An act to authorize the conveyance of property owned by the state in Jackson County to the City of Kansas City, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 70**, entitled:

An act to repeal sections 100.710 and 135.284, RSMo, section 100.840 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 289, ninety-second general assembly, first regular session, section 100.840 as enacted by senate committee substitute for senate bill no. 620, ninety-second general assembly, first regular session, section 100.850 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1182, ninety-second general assembly, second regular session, section 100.850 as enacted by house substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, first regular session, and section 100.850 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 1394, ninety-second general assembly, second regular session, and to enact in lieu thereof four new sections relating to business use incentives for large-scale development.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 86**, entitled:

An act to repeal section 523.050, RSMo, and to enact in lieu thereof one new section relating to eminent domain.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 99**, entitled:

An act to repeal section 620.602, RSMo, and to enact in lieu thereof one new section relating to the joint committee on economic development policy and planning.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 100**, entitled:

An act to repeal sections 345.015, 345.022, 345.050, and 345.080, RSMo, and to enact in lieu thereof four new sections relating to the licensing of speech-language pathologists and audiologists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 141**, entitled:

An act to repeal sections 301.550 and 301.560, RSMo, and to enact in lieu thereof two new sections relating to the licensure of dealers who sell emergency vehicles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 174**, entitled:

An act to authorize the conveyance of property owned by the state in Cole County to the Regional West Fire District, with an emergency clause.

Emergency clause adopted

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 178**, entitled:

An act to repeal sections 330.010, 330.020, 330.030, 330.040, 330.045, 330.050, 330.065, 330.070, 330.080, 330.090, 330.100, 330.110, 330.160, 330.180, 330.200, and 330.210, RSMo, and to enact in lieu thereof sixteen new sections relating to podiatrists, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 180**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Ronald Reagan Day in Missouri.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Nolte.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, February 24, 2005.

COMMITTEE MEETINGS

JOB CREATION AND ECONOMIC DEVELOPMENT

Monday, February 28, 2005, 3:30 p.m. House Chamber side gallery. AMENDED
Executive session will be held on: HB 348

LOCAL GOVERNMENT

Thursday, February 24, 2005, 8:00 a.m. Hearing Room 6.
Executive session will follow. AMENDED
Public hearings to be held on: HB 200, HB 342, HB 343, HB 344, HB 345, HB 448

SENIOR CITIZEN ADVOCACY

Thursday, February 24, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 169, HB 420, HB 141

SPECIAL COMMITTEE ON URBAN ISSUES

Monday, February 28, 2005, Hearing Room 1 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 413, HB 508, HB 374, HB 286

SUBCOMMITTEE FOR JOINT COMMITTEE ON CAPITAL IMPROVEMENTS

Thursday, February 24, 2005, 1:00 p.m. Senate Committee Room 1.

Personnel matters.

TOURISM

Thursday, February 24, 2005, 9:00 a.m. House Lounge.

Presentation of the annual report by the Tourism Commission.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Thursday, February 24, 2005, House Chamber south side gallery upon morning adjournment.

Executive session.

HOUSE CALENDAR

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 24, 2005

HOUSE BILLS FOR SECOND READING

HB 613 through HB 635

HOUSE BILL FOR PERFECTION

HCS HB 347 - Pratt

HOUSE BILLS FOR PERFECTION - CONSENT

(2/22/05)

1 HB 248 - Pearce

2 HCS HB 297 - Pearce

HOUSE BILL FOR THIRD READING

HCS HB 468, E.C. - Richard

SENATE BILLS FOR SECOND READING

- | | |
|----|------------|
| 1 | SCS SB 24 |
| 2 | SCS SB 69 |
| 3 | SCS SB 70 |
| 4 | SB 86 |
| 5 | SB 99 |
| 6 | SCS SB 100 |
| 7 | SB 141 |
| 8 | SB 174 |
| 9 | SB 178 |
| 10 | SB 180 |

SENATE BILL FOR THIRD READING

SS SCS SB 98 - Marsh	(5 hours debate on Third Reading)
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HOUSE CONCURRENT RESOLUTION

HCR 11, (2-17-05, Pages 351-352) - Sander

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 24, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

Almighty God, on this foggy morning, we pray for the gift of wisdom that will allow us to see clearly and with a long range of visibility, that we might accomplish the work of this day.

We join the prayer of Solomon, "Give your servant a heart to understand how to discern between good and evil," (1 Kings 3:9). That we might use this discernment throughout the day, we beseech You, O Lord.

Purify our minds that we may think clearly.

Open our minds that we may hear Your wisdom, in the voices of others.

Touch our lips that we may speak Your truth.

Hold our hearts that we may always follow You.

Bless us this day, Holy Spirit of God, with Your gift of wisdom.

We pray to You who are our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-eighth day was approved as printed by the following vote:

AYES: 153

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese

Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Swinger	Threlkeld	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bean	Bivins	Byrd	Dusenberg
Quinn	Roorda	Sutherland	Tilley	

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 760	-	Representative Goodman
House Resolution No. 761		
and		
House Resolution No. 762	-	Representative Boykins
House Resolution No. 763	-	Representative Jetton
House Resolution No. 764		
through		
House Resolution No. 768	-	Representative Lager
House Resolution No. 769	-	Representative Pearce
House Resolution No. 770		
and		
House Resolution No. 771	-	Representative Moore
House Resolution No. 772	-	Representative Cooper (158)
House Resolution No. 773	-	Representatives Parker and Hubbard
House Resolution No. 774	-	Representative Brown (50)
House Resolution No. 775	-	Representative Meiners
House Resolution No. 776	-	Representative Selby
House Resolution No. 777	-	Representatives Wright (137) and Dixon
House Resolution No. 778	-	Representative Brown (30)
House Resolution No. 779	-	Representative Bowman

House Resolution No. 780
and
House Resolution No. 781 - Representative Lager
House Resolution No. 782 - Representative Schaaf, et al.
House Resolution No. 783 - Representative Bringer
House Resolution No. 784 - Representative Jetton
House Resolution No. 785 - Representative Munzlinger
House Resolution No. 786 - Representative Tilley
House Resolution No. 787 - Representative Richard
House Resolution No. 788 - Representative Sutherland
House Resolution No. 789 - Representative Deeken
House Resolution No. 790 - Representative Haywood, et al.

SECOND READING OF HOUSE BILLS

HB 613 through **HB 635** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 24, SCS SB 69, SCS SB 70, SB 86, SB 99, SCS SB 100, SB 141, SB 174, SB 178
and **SB 180** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 347, relating to defective residential construction, was taken up by Representative Pratt.

Representative Burnett offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 347, Page 4, Section 431.306.1, Line 8, by adding the following:

“This requirement shall not apply if the contractor has failed to respond to the claimant’s written notice within fourteen days.”

On motion of Representative Burnett, **House Amendment No. 1** was adopted.

Representative Johnson (47) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 347, Section 431.303, Page 3, Line 10, by deleting "**said act**" and inserting in lieu thereof "**sections 431.300 to 431.315**"; and

Further amend said section and page, Line 11, by deleting "**in a single and separate document**"; and

Further amend said section, Page 4, Line 24, by deleting "**MUST FILE**" and inserting in lieu thereof "**MUST SERVE**"; and

Further amend said section and page, Line 33, by deleting "**431.306(10)**" and inserting in lieu thereof "**431.306.10**"; and

Further amend said section and page, Line 36, by deleting "**431.312**" and inserting in lieu thereof "**431.315**"; and

Further amend said section and page, Line 40, by deleting "**section 431.303**" and inserting in lieu thereof "**this section**"; and

Further amend said section and page, Line 45, by deleting "**or**" and inserting in lieu thereof "**for**"; and

Further amend said House Committee Substitute, Section 431.306, Page 8, Line 144, by deleting "**2**" and inserting in lieu thereof "**1**"; and

Further amend said section and page, Line 146, by deleting "**claimants**" and inserting in lieu thereof "**claimant**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 2** was adopted.

Representative Daus offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 347, Section 431.309, Pages 8-9, Lines 1-30, by deleting all of said section and inserting in lieu thereof the following:

"431.309. 1. If an association's governing board rejects a written settlement offer from the contractor and has satisfied applicable provisions of section 431.306, and upon written request by the contractor as part of said offer that the association hold a meeting of the members, the provisions of this section shall apply prior to the association filing an action alleging construction defects in the common areas and common elements.

2. The board shall hold a meeting open to each member of the association. The meeting shall be held no less than fifteen days before the association commences an action against the contractor.

3. No less than fifteen days before this meeting is held, a written notice shall be sent to each member of the association specifying all of the following:

(1) That a meeting will take place to discuss construction defects that may lead to the filing of an action, and the date, time and place of the meeting.

(2) The options that are available to address the construction defects, including the filing of an action and a statement of the various alternatives that are reasonably foreseeable by the association to pay for those options and whether these payments are expected to be made from the use of reserve account funds or the imposition of regular or special assessments, or emergency assessment increases.

(3) The complete text of any written final settlement offer from the contractor and a concise explanation of the contractor's specific reasons for the terms of the offer.

4. The contractor shall pay all expenses attributable to sending the settlement offer to all members of the association, and pay the expense of holding the meeting not to exceed three dollars per member.

5. The discussions at the meeting and the contents of the notice and the items required to be specified in the notice pursuant to subsection 3 of this section are privileged communications and are not admissible in evidence in any action, unless the association consents to their admission.

6. No more than one request to meet and discuss a written settlement offer under this section may be made by the contractor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Behnen assumed the Chair.

Representative Daus moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Pratt, **HCS HB 347, as amended**, was adopted.

On motion of Representative Pratt, **HCS HB 347, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 530 - Rules
HR 717 - Rules
HR 741 - Rules
HR 757 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 18 - Special Committee on Urban Issues
HCR 20 - Children and Families
HCR 21 - Elementary and Secondary Education
HCR 22 - Utilities

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 10 - Judiciary
HJR 11 - Judiciary
HJR 13 - Small Business
HJR 18 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 468 - Fiscal Review (Fiscal Note)
HB 212 - Judiciary
HB 298 - Utilities
HB 405 - Local Government
HB 425 - Financial Institutions
HB 500 - Workforce Development and Workplace Safety
HB 501 - Agriculture Policy
HB 502 - Ways and Means
HB 503 - Health Care Policy
HB 504 - Professional Registration and Licensing
HB 505 - Local Government
HB 510 - Conservation and Natural Resources
HB 511 - Crime Prevention and Public Safety
HB 512 - Small Business
HB 514 - Elementary and Secondary Education
HB 518 - Transportation
HB 527 - Job Creation and Economic Development
HB 528 - Agriculture Policy
HB 530 - Higher Education
HB 533 - Workforce Development and Workplace Safety
HB 534 - Local Government
HB 536 - Children and Families
HB 537 - Crime Prevention and Public Safety
HB 538 - Crime Prevention and Public Safety
HB 539 - Elementary and Secondary Education
HB 540 - Insurance Policy
HB 543 - Small Business
HB 544 - Ways and Means
HB 545 - Crime Prevention and Public Safety
HB 546 - Insurance Policy
HB 547 - Crime Prevention and Public Safety
HB 548 - Agriculture Policy
HB 549 - Conservation and Natural Resources
HB 550 - Professional Registration and Licensing
HB 553 - Utilities
HB 554 - Professional Registration and Licensing
HB 556 - Professional Registration and Licensing
HB 557 - Judiciary
HB 558 - Local Government
HB 559 - Local Government
HB 560 - Rules
HB 561 - Local Government
HB 563 - Agriculture Policy

HB 564 - Special Committee on Urban Issues
HB 565 - Local Government
HB 567 - Judiciary
HB 568 - Children and Families
HB 569 - Small Business
HB 570 - Corrections and Public Institutions
HB 571 - Workforce Development and Workplace Safety
HB 572 - Children and Families
HB 573 - Rules
HB 574 - Children and Families
HB 575 - Local Government
HB 576 - Small Business
HB 577 - Local Government
HB 578 - Judiciary
HB 579 - Elementary and Secondary Education
HB 580 - Judiciary
HB 581 - Veterans
HB 582 - Judiciary
HB 583 - Transportation
HB 584 - Elementary and Secondary Education
HB 585 - Health Care Policy
HB 586 - Children and Families
HB 587 - Transportation
HB 588 - Agriculture Policy
HB 589 - Utilities
HB 592 - Rules
HB 594 - Judiciary
HB 595 - Judiciary
HB 596 - Insurance Policy
HB 597 - Agriculture Policy
HB 598 - Professional Registration and Licensing
HB 599 - Professional Registration and Licensing
HB 600 - Professional Registration and Licensing
HB 601 - Children and Families
HB 602 - Retirement
HB 603 - Health Care Policy
HB 604 - Ways and Means
HB 606 - Retirement
HB 607 - Workforce Development and Workplace Safety
HB 609 - Retirement
HB 610 - Retirement

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 160 - Corrections and Public Institutions

HB 373 - Ways and Means

HB 491 - Corrections and Public Institutions

COMMITTEE REPORTS

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 47**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 127**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 215**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 56**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 174**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SCS SBs 1 & 130**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 20, introduced by Representative Baker (123), relating to bonded indebtedness of school districts.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 636, introduced by Representatives Tilley and Yates, relating to provider networks for health carriers.

HB 637, introduced by Representatives Wildberger, Roorda, Johnson (61), Walsh, Chappelle-Nadal, Burnett, Harris (23), Young, Corcoran, Bringer, Liese, Bruns, Walton, Baker (25), Oxford, Casey, Salva, Darrough, El-Amin, Brown (50), Kratky, Hoskins, Henke, Kuessner, Dougherty, Robinson, Skaggs, Villa, Spreng, Daus, Bowman, Wagner, Witte, Fraser, Zweifel, Aull, Hughes, Meadows, Bland, Swinger, George, Low (39), Wright-Jones, Haywood, Boykins, Meiners, Storch, Donnelly, Yaeger, Curls, Lowe (44), Hubbard, Shoemyer, Page, Lampe, Whorton, Rucker, Schoemehl, Parson, Vogt, Harris (110), LeVota, Selby and Jolly, relating to workers' compensation benefits.

HB 638, introduced by Representative Cunningham (86), relating to public library districts.

HB 639, introduced by Representatives Cunningham (86), Hoskins, Hubbard, Jetton, Villa, Bearden, Kratky, Dempsey, Dougherty, Dixon, Haywood, Nieves, Hughes, Cooper (120), Harris (110), Byrd, Bowman, Hunter, Meiners, Icet, Swinger, Lembke, Spreng, Jackson, Kuessner, Muschany, Robb, St. Onge, Schad, Vogt, Behnen, Marsh, Faith, Denison, Ruestman, Cooper (158), Black, Bruns, Yates, Davis, Kelly, Portwood, Wright (159), Self, Moore, Bivins, Parker, Brown (30), Roark, McGhee, Chinn, Dusenberger, Lipke, Munzlinger, Threlkeld, Schneider, Cooper (155), Kraus, Wright (137), Weter, Smith (118), Sander, Myers, Kingery, Dethrow, Jones, Richard, Wells, Tilley, Phillips, Deeken, May, Sutherland, Schlottach, Day, Rector, Ervin, Hobbs, Stevenson, Smith (14), Rupp, Emery, Quinn, Flook, Schaaf, Pratt, Fisher, Sater and Franz, relating to educational tax credits.

HB 640, introduced by Representatives Pearce, Page, LeVota, McGhee, Weter, Meadows, Brown (30), Munzlinger, Kraus, Brown (50), Darrough, Jolly and Fraser, relating to unsolicited commercial electronic mail.

HB 641, introduced by Representatives Pearce, Wildberger, Page, McGhee, Bivins, Brown (30), Schad, Kraus, Dusenberger, Brown (50), Moore and Deeken, relating to administrative driving while intoxicated enhancements.

HB 642, introduced by Representatives McGhee, Munzlinger, Moore and Brown (30), relating to landowner liability.

HB 643, introduced by Representatives Young, LeVota, Harris (23), Meiners, Villa, Wright-Jones, Johnson (61), Wagner, Swinger, Selby, Bowman, Hubbard, Hoskins, Burnett, Chappelle-Nadal, Jolly, Skaggs, Fraser, Shoemyer, Wildberger, Lampe, Bland, Liese, Yaeger, Harris (110), Schoemehl, Oxford, Henke, Witte, Goodman, Marsh, Hunter, Hughes, Schneider, Roark, Dusenberga and Brown (30), relating to sunshine law violations.

HB 644, introduced by Representatives Storch, Daus, Wright-Jones, Villa, Donnelly, Shoemyer, Lampe, Whorton, Boykins, Johnson (61), Rucker, Sanders Brooks, Fraser, Oxford, Casey and Jolly, relating to crime of bribery of a public servant.

HB 645, introduced by Representatives Smith (14), Davis, Spreng, Whorton, Brown (50) and Hoskins, relating to stillbirth tax exemption.

HB 646, introduced by Representatives Threlkeld, Bearden, Page and Stefanick, relating to the senior Rx program.

HB 647, introduced by Representatives Roark, Goodman, Richard and Brown (30), relating to a tax deduction for contributions to educational savings programs.

HB 648, introduced by Representatives Loehner, Schlottach, Chinn, Day, Schad, Parson, Myers, May, Hobbs, Munzlinger and Jones, relating to the Missouri wine and grape board.

HB 649, introduced by Representatives Fares, Portwood, Phillips, Cunningham (86), St. Onge, Sutherland, Villa and Pratt, relating to income tax.

HB 650, introduced by Representatives Johnson (61), Selby, Brown (30), Roorda, Harris (110), Sanders Brooks, Faith, Oxford and Brown (50), relating to adoption records.

HB 651, introduced by Representative Wildberger, relating to charitable solicitations.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SJR 1**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 47(c) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the parks and soils tax.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Sutherland.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, February 28, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 1, 2005, 12:00 p.m. Hearing Room 1.

Possible further Executive session.

Public hearings to be held on: HB 367, HB 305, HB 368, HB 454

Executive session will be held on: HB 376, HB 116

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, February 28, 2005, 10:00 a.m. Hearing Room 3.

Department of Mental Health, Residential Programs and Services

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, March 1, 2005, 8:00 a.m. Hearing Room 6.

Markup for Department of Corrections.

Executive session may follow.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Monday, February 28, 2005, 12:00 p.m. Hearing Room 5.

Departments of Transportation, Economic Development,
Insurance, and Labor and Industrial Relations.

Public testimony on Amtrak. Executive session may follow.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, March 1, 2005, 8:00 a.m. Hearing Room 5.

Departments of Transportation, Economic Development,

Insurance, and Labor and Industrial Relations. Executive session may follow.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, March 1, 2005, Hearing Room 6 upon afternoon adjournment.

Departments of Transportation, Economic Development,

Insurance, and Labor and Industrial Relations. Executive session may follow.

ELECTIONS

Tuesday, March 1, 2005, 6:00 p.m. Hearing Room 5.

Executive session will precede public hearing.

Working session on HB 66 and HB 255 will follow public hearing with no public testimony.

Public hearings to be held on: HB 152, HB 280, HB 525

Executive session will be held on: HB 524

FISCAL REVIEW

Tuesday, March 1, 2005, 9:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HCS HB 468

HIGHER EDUCATION

Tuesday, March 1, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 275, HB 341, HB 440

INSURANCE POLICY

Tuesday, March 1, 2005, Hearing Room 7 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 394, HB 400, HB 388, HB 417

JOB CREATION AND ECONOMIC DEVELOPMENT

Monday, February 28, 2005, 3:30 p.m. House Chamber side gallery. AMENDED

Executive session will be held on: HB 348

JOINT COMMITTEE ON EDUCATION

Tuesday, March 1, 2005, 8:00 p.m. Senate Committee Room 2.

Foundation formula discussion. Executive session may follow.

LOCAL GOVERNMENT

Tuesday, March 1, 2005, South side gallery upon afternoon adjournment.

Executive session will be held on: SB 58

RULES

Monday, February 28, 2005, 1:30 p.m. Hearing Room 7.

Executive session may follow AMENDED

Public hearings to be held on: HB 229, HB 230, HB 114, HCS HB 135, HB 40,
HCS No.2 HB 94 & 185, HCS HB 365, HCS HB 379, HCS SS SCS SB 1 & 130

SPECIAL COMMITTEE ON URBAN ISSUES

Monday, February 28, 2005, Hearing Room 1 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 413, HB 508, HB 374, HB 286

VETERANS

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 5.

Executive session will follow.

Public hearing to be held on: HB 412

HOUSE CALENDAR

THIRTIETH DAY, MONDAY, FEBRUARY 28, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 20

HOUSE BILLS FOR SECOND READING

HB 636 through HB 651

HOUSE BILLS FOR PERFECTION - CONSENT

(2/22/05)

- 1 HB 248 - Pearce
- 2 HCS HB 297 - Pearce

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 468, (Fiscal Review 2-24-05), E.C. - Richard
- 2 HCS HB 347 - Pratt

SENATE JOINT RESOLUTION FOR SECOND READING

SS SJR 1

SENATE BILL FOR THIRD READING

SS SCS SB 98 - Marsh (5 hours debate on Third Reading)

HOUSE CONCURRENT RESOLUTION

HCR 11, (2-17-05, Pages 351-352) - Sander

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTIETH DAY, MONDAY, FEBRUARY 28, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Dedication of the Chamber's new Preamble display and prayer was given by Representative Rob Schaaf.

In a moment, please join me in dedicating our Chamber's new Preamble display with a prayer.

Before we pray, however, all those who made the Preamble Project possible deserve thanks, beginning with the members who supported House Resolution No. 6 last year, and especially Representative J.C. Kuessner and former Representative Ronnie Miller, co-sponsors. Special thanks go to former Speaker Catherine Hanaway, Speaker Rod Jetton and now Senator Jason Crowell, each of whom gave special assistance. The original concept of a Missouri-shaped display was Ray Griggs', my legislative aide. The artwork and design were completed by the Art Department of Missouri Western State College, especially Teresa Harris and Dr. Allison Sauls. Van Vickie Monuments of Saint Joseph arranged for the actual construction and Tom Sater, Capitol Restorations Consultant, coordinated the installation. In addition to all of these, thanks go to the many citizens across Missouri who contributed financially.

The display's black granite can be found only in Zimbabwe and was chosen for its rich appearance and harmony with the Chamber's other architectural elements. It weighs 158 pounds, is approximately 36 inches wide by 34 inches tall, and its letters are lined with gold leaf, except for the great seal which is photo etched.

Missouri voters adopted a new Constitution on February 27th, 1945, including the Preamble which is very similar to the Preamble of the Constitution of 1875. For those listening and unable to see the Preamble display, let me remind you of its words:

"We, the people of Missouri, with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness, do establish this constitution for the better government of the state."

And now, let us pray.

Our Father,
Who art in heaven,
Hallowed be Thy name.

Sixty years ago yesterday, the People of Missouri voted to adopt a new Constitution, the Preamble of which uses Your name, Supreme Ruler of the Universe.

Now, as then, our mood is one of profound reverence for You, as we rededicate our Constitution by displaying its Preamble with Your name in our Chamber. Help us preserve this reverent spirit as we make decisions that affect the lives of our fellow Missourians.

Now, as then, we are grateful for Your goodness. We give thanks for our many blessings, and the wisdom You gave to those who came before us. By adopting our Constitution, they protected the freedoms You gave us.

In rededicating our Constitution, we rejoice in our freedom to display Your name. Yet we are mindful that there are some who would take away that freedom. Give us the strength to resist them, and the resolve to never let Your name be removed from our Constitution, from our Chamber, from our hearts.

Finally, we ask for Your guidance as we go about our daily work of governing. Let our Preamble remind us that there is not one among men who is called supreme. That name belongs only to You, the Supreme Ruler of the Universe.

And always as we pray, it is in Your name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Eleanor Loaghaire Kloeckener.

The Journal of the twenty-ninth day was approved as printed by the following vote:

AYES: 151

Aull	Baker 123	Baker 25	Barnitz	Bearden
Bivins	Black	Bland	Boykins	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Jackson	Johnson 47
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bean	Behnen	Bowman	Dusenberg
Haywood	Johnson 61	Johnson 90	Robb	Vogt
Walton				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 791
through
House Resolution No. 793 - Representative Boykins
House Resolution No. 794 - Representative Cunningham (145)
House Resolution No. 795 - Representative Bruns
House Resolution No. 796
and
House Resolution No. 797 - Representative Wilson (119)
House Resolution No. 798 - Representative Pratt
House Resolution No. 799
through
House Resolution No. 801 - Representative Lampe
House Resolution No. 802
and
House Resolution No. 803 - Representative Denison
House Resolution No. 804 - Representative Sander
House Resolution No. 805 - Representative Witte
House Resolution No. 806 - Representative Byrd
House Resolution No. 807 - Representatives Goodman and Sater
House Resolution No. 808 - Representative Whorton
House Resolution No. 809 - Representative Cunningham (145)

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 20 was read the second time.

SECOND READING OF HOUSE BILLS

HB 636 through **HB 651** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SS SJR 1 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS No.2 HBs 94 & 185**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 114**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 135**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 229**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 230**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 365**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 379**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SBs 1 & 130**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 5 hours for debate on Third Reading**.

THIRD READING OF SENATE BILL

SS SCS SB 98, relating to state institutions of higher education, was taken up by Representative Marsh.

Representative Jolly offered **House Amendment No. 1**.

Representative Byrd raised a point of order that **House Amendment No. 1** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Bringer offered **House Amendment No. 2**.

Representative Byrd raised a point of order that **House Amendment No. 2** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Bringer appealed the ruling of the Chair.

The ruling of the Chair was sustained by the following vote:

AYES: 099

Baker 123	Bearden	Bivins	Black	Brown 30
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hubbard	Hunter	Icet	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Kuessner
Lager	Lampe	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Smith 118	Smith 14	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 055

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 110
Harris 23	Haywood	Henke	Hoskins	Hughes
Johnson 61	Jolly	Kratky	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Walsh	Whorton
Wildberger	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bean	Behnen	Chappelle-Nadal	Corcoran
Dusenberger	Johnson 90	Walton		

VACANCIES: 001

Representative Harris (23) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 98, Page 17, Section 174.241, Line 18, by inserting after all of said line the following:

"Section B. The provisions of this act shall only become effective if all state institutions of higher education receive all funds appropriated to such institutions in the fiscal year 2005 budget."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Harris (23) moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Corcoran	Curls	Darrough	Daus
Deeken	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Jolly
Kratky	Kraus	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Pratt	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Threlkeld	Vogt	Wagner
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Yates	Zweifel		

NOES: 092

Baker 123	Bearden	Bivins	Black	Brown 30
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kuessner	Lager	Lampe	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Smith 118	Smith 14	Stefanick
Stevenson	St. Onge	Sutherland	Tilley	Viebrock
Villa	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Young	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Bean	Behnen	Chappelle-Nadal	Dusenberg
Johnson 90	Walton			

VACANCIES: 001

Representative Baker (25) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 98, Page 1, last line of the title, by inserting after the word “education” the following: “, with a referendum clause”; and

Further amend said bill, Page 17, Section 174.241, Line 18, by adding after all of said line the following:

“Section B. Section A of this act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November 2006, pursuant to the applicable laws and constitutional provisions of this state for the submission of referendum measures by the general assembly. If approved by a majority of the votes cast thereon at such election and not otherwise, the repeal of section 174.241, the repeal and reenactment of sections 172.020, 173.005, 174.020, 174.231, 174.250, 174.251, 174.253, 174.261, 174.300, 174.310, 175.320, 174.324, 174.450, 174.453, and 176.010 and the enactment of section 1 of section A of this act shall become effective January 1, 2007.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Baker (25) moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Aull	Baker 25	Bowman	Bringer	Brown 30
Brown 50	Burnett	Casey	Corcoran	Curls
Darrough	Donnelly	Dougherty	El-Amin	George
Harris 110	Harris 23	Henke	Hoskins	Hughes
Jolly	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Pratt
Robb	Roorda	Rucker	Salva	Shoemyer
Skaggs	Spreng	Storch	Walsh	Whorton
Wildberger	Yaeger	Yates	Zweifel	

NOES: 101

Baker 123	Barnitz	Bearden	Bivins	Black
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fares
Fisher	Franz	Fraser	Goodman	Guest
Hobbs	Hubbard	Hunter	Ice	Jackson
Johnson 47	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips

Pollock	Portwood	Quinn	Rector	Richard
Roark	Robinson	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Smith 118	Smith 14
Stefanick	Stevenson	St. Onge	Swinger	Tilley
Viebrock	Villa	Wagner	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Young
Mr Speaker				

PRESENT: 006

Bland	Boykins	Brooks	Johnson 61	Sutherland
Threlkeld				

ABSENT WITH LEAVE: 011

Avery	Bean	Behnen	Chappelle-Nadal	Dusenberg
Flook	Haywood	Johnson 90	Jones	Vogt
Walton				

VACANCIES: 001

Speaker Pro Tem Bearden assumed the Chair.

Representative Johnson (47) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 98, Page 6, Section 174.020, Line 4, by deleting all of said line and inserting the following:

"County, shall hereafter be known as the "[Central] Missouri State University **at Central Missouri**"; the"; and

Further amend said bill, Page 6, Section 174.020, Line 8, by deleting all of said line and inserting the following:

""University **at Southwest Missouri**"; the institution at Maryville, Nodaway County, shall hereafter be"; and

Further amend said bill, Page 7, Section 174.020, Lines 25 through 33, by deleting all of said lines; and

Further amend said bill, Page 11, Section 174.450, Lines 2 through 3, by deleting all of said lines and inserting the following:

"governing board of [Central] Missouri State University **at Central Missouri**, [Southwest] Missouri State University **at Southwest Missouri**; Missouri Southern State [University-Joplin] **University, Missouri**"; and

Further amend said bill, Page 12, Section 174.450, Line 20, by deleting all of said line and inserting the following:

"2. The governing board of Missouri State University at Southwest Missouri, a public"; and

Further amend said bill, Page 14, Section 176.010, Lines 8 through 9, by deleting all of said lines and inserting the following:

"(d) The board of [regents] **governors** for the [Central] Missouri State University **at Central Missouri**"; and

Further amend said bill, Page 14, Section 176.010, Line 12, by deleting all of said line and inserting the following:

"University at Southwest Missouri"; and

Further amend said bill, Page 15, Section 176.010, Line 53, by deleting all of said line and inserting the following:

""[Central] Missouri State University at Central Missouri" at Warrensburg, Missouri;"; and

Further amend said bill, Page 15, Section 1, Line 1, by deleting all of said line and inserting the following:

"Section 1. Missouri State University at Southwest Missouri shall not seek the land grant"; and

Further amend said bill, Page 15, Section 1, Lines 3 through 4, by deleting all of said lines and inserting the following:

"nor shall Missouri State University at Southwest Missouri seek the research designation currently held by the University of Missouri. Missouri State University at Southwest Missouri"; and

Further amend said bill, Page 16, Section 1, Line 12, by deleting all of said line and inserting the following:

"University at Southwest Missouri may cooperate with another educational institution, or"; and

Further amend said bill, Page 16, Section 1, Line 16, by deleting all of said line and inserting the following:

"that may replace it. Missouri State University at Southwest Missouri may offer doctoral"; and

Further amend said bill, Page 16, Section 1, Lines 22 through 23, by deleting all of said lines and inserting the following:

"Missouri State University to Missouri State University at Southwest Missouri shall not entitle Missouri State University at Southwest Missouri to any additional state funding."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Johnson (47) moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Aull	Baker 123	Baker 25	Bland	Bowman
Bringer	Brown 50	Burnett	Curls	Darrough
Daus	Deeken	Donnelly	Dougherty	El-Amin
Fraser	George	Guest	Harris 110	Harris 23
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Johnson 47	Jolly	Kratky	Kraus
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Munzlinger	Oxford	Page	Pearce
Pratt	Robb	Robinson	Salva	Shoemyer
Skaggs	Smith 118	Spreng	Storch	Sutherland
Threlkeld	Tilley	Villa	Vogt	Walsh
Walton	Whorton	Yaeger	Yates	Young
Zweifel				

NOES: 090

Barnitz	Bearden	Bivins	Black	Brown 30
Bruns	Byrd	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Hunter
Icet	Jackson	Jones	Kelly	Kingery
Kuessner	Lager	Lampe	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Phillips	Pollock	Portwood
Rector	Richard	Roark	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Smith 14	Stefanick	Stevenson	St. Onge	Swinger
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Mr Speaker

PRESENT: 002

Brooks Johnson 61

ABSENT WITH LEAVE: 009

Avery	Bean	Behnen	Boykins	Chappelle-Nadal
Dusenberg	Johnson 90	Quinn	Schneider	

VACANCIES: 001

SS SCS SB 98 was laid over with three hours, forty-three minutes remaining for debate on third reading (two hours, three minutes for the majority handler and one hour, forty minutes for the minority handler).

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 628 - Judiciary
HB 631 - Corrections and Public Institutions
HB 639 - Special Committee on Urban Issues

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 652, introduced by Representatives St. Onge, Shoemyer and Page, relating to private investigators.

HB 653, introduced by Representative Sutherland, relating to commercial motor vehicles.

HB 654, introduced by Representatives Wilson (130), Yates and Goodman, relating to title insurance.

HB 655, introduced by Representatives Wright (137), Cooper (158), Myers and Tilley, relating to funding for four-year public institutions of higher education.

HB 656, introduced by Representatives Wilson (130), Bruns and Ruestman, relating to the senior Rx program.

HB 657, introduced by Representatives Schaaf, Threlkeld, Cooper (155) and Page, relating to right of self-governance for hospital medical staffs.

HB 658, introduced by Representatives Wright (159), Myers, Cooper (158), Chinn, Day, Kingery, Schaaf, Swinger, Fisher, Dethrow, Franz, Black, Lipke, Hobbs and Munzlinger, relating to the agricultural product utilization contributor tax credit.

HB 659, introduced by Representatives Burnett and Vogt, relating to underinsured motor vehicle coverage.

HB 660, introduced by Representatives Schlottach, Deeken and Yaeger, relating to solid waste.

HB 661, introduced by Representatives Moore, Kelly, Hubbard, Sater, Portwood, Meadows, Sander, Munzlinger, Schlottach, Kuessner, Lembke, Smith (14), Dixon, Flook, Myers, Hobbs, Quinn, Nieves, Robb, Bean, Bruns and Goodman, relating to hospital services for correctional and detention facilities.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 21**, entitled:

An act to repeal section 453.020, RSMo, and to enact in lieu thereof one new section relating to putative father registry.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 71**, entitled:

An act to repeal section 105.267, RSMo, and to enact in lieu thereof one new section relating to public officers and employees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 123**, entitled:

An act to repeal sections 351.107, 351.180, 351.182, 351.295, and 351.405, RSMo, and to enact in lieu thereof five new sections relating to corporations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 138**, entitled:

An act to repeal section 92.402, RSMo, and to enact in lieu thereof one new section relating to taxation for public mass transportation systems.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 149**, entitled:

An act to repeal section 36.390, RSMo, and to enact in lieu thereof one new section relating to state personnel law.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 162**, entitled:

An act to repeal sections 192.400, 192.410, and 192.420, RSMo, and to enact in lieu thereof three new sections relating to radiation control.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 165**, entitled:

An act to repeal sections 386.510, 386.520, 386.530, and 386.540, RSMo, and to enact in lieu thereof four new sections relating to judicial appeal of public service commission orders.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 171**, entitled:

An act to repeal section 229.160, RSMo, relating to protection of bridges.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 189**, entitled:

An act to repeal sections 198.439, 208.480, and 338.550, RSMo, and to enact in lieu thereof three new sections relating to the health care provider tax, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Bean is no longer a member of the Appropriations - Health, Mental Health and Social Services Committee.

Representative Nieves has been appointed a member of the Appropriations - Health, Mental Health and Social Services Committee.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:45 a.m., Tuesday, March 1, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 1, 2005, 12:00 p.m. Hearing Room 1.

Possible further Executive session.

Public hearings to be held on: HB 367, HB 305, HB 368, HB 454

Executive session will be held on: HB 376, HB 116

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, March 1, 2005, 8:00 a.m. Hearing Room 7.

Markup for Office of Administration.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, March 1, 2005, 6:00 p.m. Hearing Room 4.

Markup for Office of Administration (if necessary), Statewide Leasing, Judiciary, Public Defender, General Assembly.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, March 2, 2005, 12:00 p.m. Hearing Room 7.

Markup for Office of Administration (if necessary), Statewide Leasing, Judiciary, Public Defender, General Assembly.

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 7.

Markup on Statewide Leasing (if necessary), Judiciary, Public Defender, General Assembly.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, March 1, 2005, 8:00 a.m. Hearing Room 3.

Department of Mental Health presentation.

Report presentation from Committee on Legislative Research, Oversight Division, Departments of Health, Mental Health, and Social Services may be discussed.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, March 1, 2005, 8:00 a.m. Hearing Room 6.

Markup for Department of Corrections. Executive session may follow.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, March 1, 2005, 8:00 a.m. Hearing Room 5.

Departments of Transportation, Economic Development, Insurance, and Labor and Industrial Relations.

Executive session may follow.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, March 1, 2005, Hearing Room 6 upon afternoon adjournment.

Departments of Transportation, Economic Development, Insurance, and Labor and Industrial Relations.

Executive session may follow.

CHILDREN AND FAMILIES

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow

Public hearings to be held on: HB 36, HB 572

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 4.

Public hearings to be held on: HB 236, HB 631

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 1, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 353, HB 335, HB 486, HB 488, HB 489, HB 196, HB 151

ELECTIONS

Tuesday, March 1, 2005, 6:00 p.m. Hearing Room 5.

Executive session will precede public hearing.

Working session on HB 66 and HB 255 will follow public hearing with no public testimony.

Public hearings to be held on: HB 152, HB 280, HB 525

Executive session will be held on: HB 524

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 258, HB 539

FISCAL REVIEW

Tuesday, March 1, 2005, 9:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HCS HB 468

HEALTH CARE POLICY

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 232, HB 397, HB 462, HB 463

HIGHER EDUCATION

Tuesday, March 1, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 275, HB 341, HB 440

INSURANCE POLICY

Tuesday, March 1, 2005, Hearing Room 7 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 394, HB 400, HB 388, HB 417

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 2, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 431, HB 532

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Tuesday, March 1, 2005, 8:30 a.m. Senate Committee Room 1.

Personnel matters to be considered. Executive session may follow.

JOINT COMMITTEE ON EDUCATION

Tuesday, March 1, 2005, 8:00 p.m. Senate Committee Room 2.

Foundation formula discussion. Executive session may follow.

JUDICIARY

Tuesday, March 1, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 208, HB 580, HB 582, HB 567, HB 456, HB 361

LOCAL GOVERNMENT

Tuesday, March 1, 2005, South side gallery upon afternoon adjournment. CORRECTED

Executive session will be held on: HB 58

LOCAL GOVERNMENT

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 444, HB 445, HB 465, HB 479, HB 405, HB 505

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 2, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 311, HB 59

Executive session will be held on: HB 402

RULES

Tuesday, March 1, 2005, 5:30 p.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HCS HB 174, HCS HB 56, HCS HB 47,
HB 127, HCS HB 215, HR 530, HR 717, HR 741, HR 757, HB 573, HB 40

TRANSPORTATION

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 513, HB 418, HB 288, HB 518

VETERANS

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 5.

Executive session will follow.

Public hearing to be held on: HB 412

HOUSE CALENDAR

THIRTY-FIRST DAY, TUESDAY, MARCH 1, 2005

HOUSE BILLS FOR SECOND READING

HB 652 through HB 661

HOUSE BILLS FOR PERFECTION - CONSENT

(2/22/05)

- 1 HB 248 - Pearce
- 2 HCS HB 297 - Pearce

(3/01/05)

- 1 HCS HB 135 - Richard
- 2 HB 229 - Portwood
- 3 HB 230 - Portwood
- 4 HCS HB 379 - Cooper (120)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 468, (Fiscal Review 2-24-05), E.C. - Richard
- 2 HCS HB 347 - Pratt

SENATE BILLS FOR SECOND READING

- 1 SB 21
- 2 SB 71
- 3 SB 123
- 4 SCS SB 138
- 5 SB 149
- 6 SB 162
- 7 SB 165
- 8 SB 171
- 9 SB 189

SENATE BILLS FOR THIRD READING

- 1 SS SCS SB 98 - Marsh (5 hours debate on Third Reading)
- 2 HCS SS SCS SB 1 & 130 - Hunter (5 hours debate on Third Reading)

HOUSE CONCURRENT RESOLUTION

HCR 11, (2-17-05, Pages 351-352) - Sander

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTY-FIRST DAY, TUESDAY, MARCH 1, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

We stand before You, Holy Spirit of God,
Conscious of our limitations,
Our weaknesses, even our sinfulness,
But aware that we gather in Your sight.

We gather for the sake of the people
we have been chosen to represent.

Enable us to uphold the rights of all,
That there might be justice for all.
Give us light to see what is just,
To understand what is right.

Do not allow us to be misled by ignorance
Or corrupted by fear of favor.

As we work through the agenda of this day,
Give us the wisdom to know Your will,
And the courage to carry it out.

Come to us, remain with us,
And enlighten our hearts.
For You are our God,
Forever and ever. Amen.

(Adapted from BOOK OF BLESSINGS)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dustin Spencer, Alex Hogan and Eliot Markman.

The Journal of the thirtieth day was approved as printed.

HOUSE RESOLUTION

Representative Deeken offered House Resolution No. 813.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 810 - Representative Cooper (120)
House Resolution No. 811 - Representative Lager
House Resolution No. 812 - Representative Nolte
House Resolution No. 814 - Representative Jolly

SECOND READING OF HOUSE BILLS

HB 652 through **HB 661** were read the second time.

SECOND READING OF SENATE BILLS

SB 21, SB 71, SB 123, SCS SB 138, SB 149, SB 162, SB 165, SB 171 and **SB 189** were read the second time.

THIRD READING OF SENATE BILL

SS SCS SB 98, relating to state institutions of higher education, was taken up by Representative Marsh.

Representative Henke offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 98, Page 17, Section 174.241, Line 18, by inserting after all of said line the following:

"Section B. The provisions of this act shall only become effective if Missouri State University has a graduation rate that exceeds fifty percent for four consecutive academic years, beginning with the 2005-2006 academic year."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Henke moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Cooper (120) assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Robb offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 98, Page 7, Section 174.020, Line 33, by inserting after all of said line the following:

"6. Any change in the name of Southwest Missouri State University shall not become effective until the university is classified as a "public, doctoral/research university – extensive Carnegie institution" as designated by the Carnegie Foundation for the Advancement of Teaching based in Stanford, California, and the university must retain that designation for at least twenty-five years before any change in name occurs."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Robb moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Baker 25	Bland	Bringer	Brown 50	Burnett
Chappelle-Nadal	Curls	Daus	Donnelly	George
Harris 110	Harris 23	Haywood	Henke	Hubbard
Johnson 47	Jolly	Kraus	LeVota	Low 39
Lowe 44	Oxford	Page	Pratt	Robb
Schneider	Shoemyer	Skaggs	Spreng	Storch
Threlkeld	Vogt	Walsh	Walton	Whorton
Yaeger	Yates	Zweifel		

NOES: 117

Aull	Avery	Baker 123	Barnitz	Bearden
Bivins	Black	Bowman	Boykins	Brown 30
Bruns	Byrd	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 61	Johnson 90	Jones	Kelly
Kingery	Kratky	Kuessner	Lager	Lampe
Liese	Lipke	Loehner	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Quinn	Rector	Richard	Roark
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schlottach
Schoemehl	Selby	Self	Smith 118	Smith 14
Stefanick	Stevenson	St. Onge	Sutherland	Swinger
Tilley	Viebrock	Villa	Wallace	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Young	Mr Speaker			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Bean	Behnen	Dusenberg	Lembke	Schad
Wagner				

VACANCIES: 001

Representative Yates offered **House Amendment No. 8.***House Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 98, Page 15, Section 1, Lines 1 to 23, by deleting all of said lines and inserting in lieu thereof the following:

"Section 1. 1. Missouri State University shall not seek the land grant designation held by Lincoln University and the University of Missouri, nor shall Missouri State University seek the research designation currently held by the University of Missouri.

2. Missouri State University shall offer engineering programs and doctoral programs only in cooperation with the University of Missouri, and the University of Missouri shall be the degree-granting institution for any degrees issued under such cooperative programs. If the governing board of Missouri State University desires to institute a particular cooperative degree program with the University of Missouri, the governing board of Missouri State University shall send a written request to the governing board of University of Missouri. A subsequent agreement between the governing boards of Missouri State University and University of Missouri to institute such a program shall be subject to the approval of the coordinating board for higher education. Should the governing board of the University of Missouri decline Missouri State University's request to institute a particular cooperative degree program, the governing board of Missouri State University may, within a year, enter into an agreement with another educational institution to offer such a program or directly offer the particular degree. In all cases, the offering of such degree programs shall be subject to the approval of the coordinating board for higher education, or any other higher education governing authority that replaces the board.

3. Notwithstanding the provisions of subsection 2 of this section, Missouri State University may offer doctoral programs in audiology and physical therapy. Missouri State University shall neither offer nor duplicate the professional programs at the University of Missouri, including, without limitation, those that train medical doctors, pharmacists, dentists, veterinarians, optometrists, lawyers, and architects.

4. The alteration of the name of Southwest Missouri State University to Missouri State University shall not entitle Missouri State University to receive an increased percentage level of state funding in any year that exceeds the increased percentage level of funding allocated in the same year to regional state colleges and universities.

Section 2. Notwithstanding the provisions of section 1.140, RSMo, to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Yates moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Avery	Baker 123	Baker 25	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Bruns	Burnett	Cooper 158	Curls	Daus
Deeken	Donnelly	Dougherty	Fraser	George
Guest	Harris 110	Harris 23	Haywood	Henke

Hobbs	Hoskins	Hubbard	Hughes	Johnson 47
Johnson 61	Jolly	Kraus	Lembke	LeVota
Liese	Lipke	Low 39	Lowe 44	May
Meadows	Munzlinger	Nolte	Oxford	Page
Pearce	Pratt	Robb	Rucker	Salva
Schneider	Shoemyer	Skaggs	Storch	Sutherland
Threlkeld	Vogt	Walsh	Whorton	Wildberger
Wright-Jones	Yaeger	Yates	Zweifel	

NOES: 093

Barnitz	Bearden	Bivins	Black	Brown 30
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Corcoran	Cunningham 145	Darrough	Davis
Day	Dempsey	Denison	Dethrow	Dixon
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Hunter
Ice	Jackson	Johnson 90	Jones	Kelly
Kingery	Kratky	Kuessner	Lager	Lampe
Loehner	Marsh	McGhee	Meiners	Moore
Muschany	Myers	Nance	Nieves	Parker
Parson	Phillips	Pollock	Portwood	Quinn
Rector	Richard	Roark	Robinson	Roorda
Ruestman	Rupp	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Swinger	Tilley	Viebrock	Villa	Wagner
Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Young	Mr Speaker		

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 004

Bean	Behnen	Dusenberg	Sander
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VACANCIES: 001

Representative Skaggs requested a division of the question on **SS SCS SB 98**.

The division of the question was denied by the Chair.

SS SCS SB 98 was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amanda Thurman, Sean McNeill, Amy Lehman and Jenny Medlin.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 815

through

House Resolution No. 817 - Representative Dixon

House Resolution No. 818 - Representative Lembke

House Resolution No. 819

through

House Resolution No. 832 - Representative Fraser

House Resolution No. 833 - Representative Goodman

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILL

SS SCS SB 98, relating to state institutions of higher education, was again taken up by Representative Marsh.

Speaker Jetton assumed the Chair.

On motion of Representative Marsh, **SS SCS SB 98** was truly agreed to and finally passed by the following vote:

AYES: 120

Aull	Avery	Barnitz	Bearden	Bivins
Black	Bland	Boykins	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Curls	Darrough	Daus	Davis
Day	Dempsey	Denison	Dethrow	Dixon
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Haywood	Hoskins	Hubbard
Hughes	Hunter	Jackson	Johnson 61	Johnson 90
Kelly	Kingery	Kratky	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Marsh
McGhee	Meadows	Meiners	Moore	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Quinn	Rector	Richard	Roark	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sater	Schaaf	Schad	Schlottach	Schoemehl

Selby	Self	Skaggs	Smith 14	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Young	Mr Speaker

NOES: 035

Baker 25	Bowman	Bringer	Deeken	Donnelly
Harris 110	Harris 23	Henke	Hobbs	Icet
Johnson 47	Jolly	Jones	Kraus	Lager
LeVota	Low 39	Lowe 44	May	Munzlinger
Oxford	Page	Pratt	Robb	Sander
Schneider	Shoemyer	Smith 118	Spreng	Swinger
Threlkeld	Vogt	Whorton	Yates	Zweifel

PRESENT: 003

Baker 123	Brooks	Cunningham 86
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ABSENT WITH LEAVE: 004

Bean	Behnen	Dougherty	Dusenberg
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VACANCIES: 001

Speaker Jetton declared the bill passed.

Representative Byrd assumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HB 468, relating to the Linked Deposit Program, was taken up by Representative Richard.

On motion of Representative Richard, **HCS HB 468** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus

Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Behnen	Brooks	Dusenberg	Marsh
Wagner				

VACANCIES: 001

Representative Byrd declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kuessner	Lager
Lembke	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp

Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Meadows

PRESENT: 002

Johnson 61 LeVota

ABSENT WITH LEAVE: 008

Bean	Behnen	Brooks	Dusenberg	Kraus
Lampe	Marsh	Wagner		

VACANCIES: 001

HCS HB 347, relating to defective residential construction, was taken up by Representative Pratt.

On motion of Representative Pratt, **HCS HB 347** was read the third time and passed by the following vote:

AYES: 129

Avery	Baker 123	Baker 25	Barnitz	Bearden
Bivins	Black	Bland	Brown 30	Brown 50
Bruns	Byrd	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	George	Goodman	Guest	Harris 23
Henke	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Sutherland	Swinger

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Threlkeld	Tilley	Viebrock	Wagner	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Yaeger	Yates	Young	Mr Speaker	

NOES: 028

Aull	Bowman	Boykins	Bringer	Brooks
Burnett	Chappelle-Nadal	Curls	Daus	Donnelly
El-Amin	Fraser	Harris 110	Haywood	Hughes
Johnson 90	Lampe	Low 39	Lowe 44	Oxford
Rucker	Storch	Villa	Vogt	Walton
Witte	Wright-Jones	Zweifel		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 004

Bean	Behnen	Dusenberg	Wright 137
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VACANCIES: 001

Representative Byrd declared the bill passed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 552 - Small Business

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Myers reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 376**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 348**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 269**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 361**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 580**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 163**, **HB 213** and **HB 216**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 48**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Way and Means, to which was referred **HB 186**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 40**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 56**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 127**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 248** and **HCS HB 297**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 21, introduced by Representative Cooper (120), relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 662, introduced by Representative Behnen, relating to statewide professional association membership.

HB 663, introduced by Representative Behnen, relating to the long-term care ombudsman program.

HB 664, introduced by Representative Behnen, relating to licensing of optometrists.

HB 665, introduced by Representative Behnen, relating to regulation of professional licensees.

HB 666, introduced by Representatives Guest, Chinn, Quinn, Munzlinger, McGhee, Myers, Sander, Dethrow and Whorton, relating to animal research and production facilities.

HB 667, introduced by Representative Ervin, relating to health carriers.

HB 668, introduced by Representatives Deeken, Parker and Bruns, relating to health insurance coverage for treatment of inherited diseases of amino and organic acids.

HB 669, introduced by Representatives Lampe, Aull, Wright-Jones, LeVota, Fraser, Boykins, Wallace, Baker (25) and Pearce, relating to teacher retirement.

HB 670, introduced by Representative Ruestman, relating to licensing requirements for cosmetologists.

HB 671, introduced by Representatives Sutherland and Bruns, relating to assisted living residences.

HB 672, introduced by Representative Sutherland, relating to which tobacco products can be lawfully sold in Missouri.

HB 673, introduced by Representatives Stefanick, Stevenson, Nance, Parker, Meiners, Dougherty, Baker (25), Lembke, Dempsey, Dixon, Skaggs and Villa, relating to the licensure of health care facilities.

HB 674, introduced by Representatives Stefanick, Pearce, Threlkeld, Cooper (155), Stevenson, Schaaf and Tilley, relating to provider contracts with health carriers.

HB 675, introduced by Representatives Stefanick, Stevenson, Nance, Baker (25), Lembke, Parker, Skaggs, Meiners, Dempsey, Brown (30), Cooper (158), Dougherty and Villa, relating to health care providers.

HB 676, introduced by Representative LeVota, relating to campaign contributions and reporting.

HB 677, introduced by Representative Byrd, relating to judicial review of administrative decisions.

HB 678, introduced by Representative Byrd, relating to corporations.

HB 679, introduced by Representatives Kraus, Yates, Munzlinger, McGhee, Baker (25), LeVota, Storch, Low (39), Jolly, Young, Schoemehl, Moore, Meiners, Johnson (47), Brown (50), Cunningham (86), Bland, Hughes and Aull, relating to effective involvement by parents and families in support of their children's education.

HB 680, introduced by Representatives Harris (110), Schad and Myers, relating to meat inspection.

HB 681, introduced by Representative Chappelle-Nadal, relating to the office of advocacy and assistance for the elderly.

HB 682, introduced by Representative Cooper (120), relating to sales and use taxes.

HB 683, introduced by Representatives Jolly, Oxford, Lowe (44), Fraser, Curls, Walton, Meiners, Low (39), LeVota, Skaggs, Donnelly, Burnett, Lampe, Storch, Chappelle-Nadal, Casey, Roorda, Meadows, Harris (110), Aull, Brown (50), Schoemehl, Kratky, Zweifel, Robinson, Rucker, Bowman, Selby, Yaeger, Johnson (61), Hughes, Bland, Johnson (90), McGhee, El-Amin, Faith and Boykins, relating to child care subsidies.

HB 684, introduced by Representative Lipke, relating to the DNA profiling system.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 6**, entitled:

An act to amend chapter 640, RSMo, by adding thereto one new section relating to the establishment of the Missouri alternative and renewable energy technology commission, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 122**, entitled:

An act to amend chapter 8, RSMo, by adding thereto one new section relating to the creation of the energy efficiency implementation act.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 131**, entitled:

An act to repeal sections 375.532 and 376.300, RSMo, and to enact in lieu thereof two new sections relating to insurance company investment in preferred stocks.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 211**, entitled:

An act to repeal sections 407.911, 407.912, and 407.913, RSMo, and to enact in lieu thereof three new sections relating to certain merchandising practices.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 242**, entitled:

An act to amend chapter 58, RSMo, by adding thereto one new section relating to registration of deputy coroners and assistant coroners.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

March 1, 2005

Mr. Stephen S. Davis, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Davis:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official report that I have invested in agriculture value-added cooperatives in which I may be eligible to receive New Generation Cooperative Incentive Tax Credits or loan guarantees. I would not have more than a ten percent interest in the value-added cooperatives.

Sincerely,

/s/ Brian Munzlinger
District 1

WITHDRAWAL OF HOUSE BILL

March 1, 2005

Steve Davis, Chief Clerk
House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mr. Davis:

I respectfully request that **House Bill No. 199** be withdrawn.

If you have any questions, please contact my office.

Sincerely,

/s/ Rep. Ed Wildberger
District 27

The following member's presence was noted: Behnen.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:45 a.m., Wednesday, March 2, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Sharon Sanders Brooks, District 37, hereby state and affirm that my vote as recorded on the motion to third read and pass HCS HB 468 in the House Journal for Tuesday, March 1, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of March 2005.

/s/ Sharon Sanders Brooks
State Representative

[illegible]

Subscribed and sworn to before me this 1st day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tim Meadows, District 101, hereby state and affirm that my vote as recorded on the motion to adopt the Emergency Clause on HCS HB 468 in the House Journal for Tuesday, March 1, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of March 2005.

/s/ Tim Meadows
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 1st day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 4.

Markup on Departments of Agriculture and Natural Resources. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, March 2, 2005, 12:00 p.m. Hearing Room 7.

Mark up for Office of Administration (if necessary), Statewide Leasing, Judiciary, Public Defender, General Assembly.

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 7.

Markup on Statewide Leasing (if necessary), Judiciary, Public Defender, General Assembly.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, March 2, 2005, Hearing Room 6 upon afternoon adjournment.

Departments of Transportation, Economic Development, Insurance, Labor and Industrial Relations. Executive session. Note room change. AMENDED

CHILDREN AND FAMILIES

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow

Public hearings to be held on: HB 36, HB 572

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 2, 2005, 6:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 33, HB 510, HB 130

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 4.

Public hearings to be held on: HB 236, HB 631

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 258, HB 539

HEALTH CARE POLICY

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 232, HB 397, HB 462, HB 463

INSURANCE POLICY

Thursday, March 3, 2005, 8:30 a.m. Hearing Room to be announced.

Executive session may follow.

Public hearings to be held on: HB 496, HB 388, HB 417, HB 400, HB 394

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 2, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 431, HB 532

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY AND PLANNING

Thursday, March 3, 2005, 12:30 p.m. Hearing Room 6.

Organizational meeting.

Discuss 7-year extension of Neosho/Newton County enterprise zone.

LOCAL GOVERNMENT

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 444, HB 445, HB 465, HB 479, HB 405, HB 505

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 2, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 311, HB 59

Executive session will be held on: HB 402

RULES

Wednesday, March 2, 2005, Hearing Room 4 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCR 4, HB 100, HB 592, HCS HB 163, 213 & 216

SENIOR CITIZEN ADVOCACY

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 507

SMALL BUSINESS

Wednesday, March 2, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 576

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, March 2, 2005, 6:00 p.m. Hearing Room 3.

Executive may follow. AMENDED

Public hearing to be held on: HB 639

TRANSPORTATION

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 513, HB 418, HB 288, HB 518

UTILITIES

Wednesday, March 2, 2005, 12:00 p.m. Hearing Room 5.

Committee meetings begin at noon or upon morning adjournment, whichever comes first.

Executive session may follow.

Public hearing to be held on: HB 433

VETERANS

Wednesday, March 2, 2005, 8:00 a.m. Hearing Room 5.

Executive session will follow.

Public hearing to be held on: HB 412

WAYS AND MEANS

Wednesday, March 2, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 312, HB 364, HB 373, HB 544, HB 64

HOUSE CALENDAR

THIRTY-SECOND DAY, WEDNESDAY, MARCH 2, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 21

HOUSE BILLS FOR SECOND READING

HB 662 through HB 684

HOUSE BILLS FOR PERFECTION - CONSENT

(3/01/05)

- 1 HCS HB 135 - Richard
- 2 HB 229 - Portwood
- 3 HB 230 - Portwood
- 4 HCS HB 379 - Cooper (120)

(3/02/05)

- 1 HB 40 - Tilley
- 2 HCS HB 56 - Threlkeld
- 3 HB 127 - Bivins

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 248 - Pearce
- 2 HCS HB 297 - Pearce

SENATE BILLS FOR SECOND READING

- 1 SCS SB 6
- 2 SB 122
- 3 SB 131
- 4 SB 211
- 5 SB 242

SENATE BILL FOR THIRD READING

HCS SS SCS SB 1 & 130 - Hunter (5 hours debate on Third Reading)

HOUSE CONCURRENT RESOLUTION

HCR 11, (2-17-05, Pages 351-352) - Sander

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTY-SECOND DAY, WEDNESDAY, MARCH 2, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, in Your strength we are glad and in Your victory we rejoice. You have given us our heart's desire and You have not withheld answers to our request. In You we trust and we are not disappointed.

May our message, method and our motive be clear, concise and purposeful as we continue our service to one another, this state and its constituents.

May our vision remain clear, our bodies strong and our integrity intact as we journey through the mountain of decisions before us.

Help us, O Lord, to maintain a wholesome dread of displeasing You and a clearly demonstrated honor for one another.

Now may the grace of our Lord rest and abide with each of us throughout this day.

In the victorious name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brady Phillips, Intistar Faulkner, Devin Penson, Martha Scharff, Jennifer Burton, Eriq Kristek, Kyle Dedeaux, Connor Mulligan, Allie Rogers, Jordan Rogers, Bobbie Dampier and Jenna Lilly.

The Journal of the thirty-first day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 834 - Representative Behnen
House Resolution No. 835 - Representative Dempsey
House Resolution No. 836
and
House Resolution No. 837 - Representative Deeken

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 21 was read the second time.

SECOND READING OF HOUSE BILLS

HB 662 through **HB 684** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 6, SB 122, SB 131, SB 211 and **SB 242** were read the second time.

Representative Cooper (120) assumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SCS SBs 1 & 130, relating to workers' compensation, was taken up by Representative Hunter.

Representative Pratt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 1, In the Title, Line 6, by inserting after the word "provisions" the following:

", and an effective date for certain sections"; and

Further amend said bill, Page 6, Section 287.067, Lines 18 and 19, by deleting the phrase "**recognized as an occupational disease for the purposes of this chapter**"; and

Further amend said bill, Page 7, Section 287.067, Line 37, by inserting after the phrase "oxygen, **of**" the following:

"**paid**"; and

Further amend said bill, Page 7, Section 287.067, Line 37, by inserting at the end of said line the following:

"**paid**"; and

Further amend said bill, Page 7, Section 287.067, Line 46, by deleting "with a prior" and inserting in lieu thereof the following:

"with [a] **the immediate** prior"; and

Further amend said bill, Section 287.128, Pages 11-13, Lines 1-78, by deleting all of said section and inserting in lieu thereof the following:

"287.128. 1. It shall be unlawful for any person to [:

(1)] knowingly present or cause to be presented any false or fraudulent claim for the payment of benefits pursuant to a workers' compensation claim[:].

[(2)] 2. It shall be unlawful for any insurance company or self-insurer in this state to knowingly and intentionally refuse to comply with known and legally indisputable compensation obligations with intent to defraud.

3. It shall be unlawful for any person to:

(1) Knowingly present multiple claims for the same occurrence with intent to defraud;
 [(3)] Purposefully prepare, make or subscribe to any writing with intent to present or use the same, or to allow it to be presented in support of any false or fraudulent claim;

(4)](2) Knowingly assist, abet, solicit or conspire with:

(a) Any person who knowingly presents any false or fraudulent claim for the payment of benefits;
 (b) Any person who knowingly presents multiple claims for the same occurrence with an intent to defraud; or
 (c) Any person who purposefully prepares, makes or subscribes to any writing with the intent to present or use the same, or to allow it to be presented in support of any such claim;

[(5)](3) Knowingly make or cause to be made any false or fraudulent claim for payment of a health care benefit;

[(6)](4) Knowingly submit a claim for a health care benefit which was not used by, or on behalf of, the claimant;

[(7)] (5) Knowingly present multiple claims for payment of the same health care benefit with an intent to defraud;

[(8)](6) Knowingly make or cause to be made any false or fraudulent material statement or material representation for the purpose of obtaining or denying any benefit;

[(9)](7) Knowingly make or cause to be made any false or fraudulent statements with regard to entitlement to benefits with the intent to discourage an injured worker from making a legitimate claim;

(8) Knowingly make or cause to be made a false or fraudulent material statement to an investigator of the division in the course of the investigation of fraud or noncompliance. For the purposes of subdivisions (6), (7), and (8) [9] of this subsection, the term "statement" includes any notice, proof of injury, bill for services, payment for services, hospital or doctors records, X ray or test results.

2. It shall be unlawful for any insurance company or self-insurer in this state to:

(1) Intentionally refuse to comply with known and legally indisputable compensation obligations;
 (2) Discharge or administer compensation obligations in a dishonest manner; and
 (3) Discharge or administer compensation obligations in such a manner as to cause injury to the public or those persons dealing with the employer or insurer.

3.]4. Any person violating any of the provisions of subsections 1 [and] or 2 of this section [or section 287.129,] shall be guilty of a class [A misdemeanor and,] D felony. In addition, the person shall be liable to the state of Missouri for a fine [not to exceed] up to ten thousand dollars or double the value of the fraud whichever is greater. Any person violating any of the provisions of subsection 3 of this section shall be guilty of a class A misdemeanor and the person shall be liable to the state of Missouri for a fine up to ten thousand dollars. Any person who has previously pled guilty to or has been found guilty of violating any of the provisions of subsections 1. [and] 2 **or 3** of this section [or the provisions of section 287.129] and who subsequently violates any of the provisions of subsections 1 [and], 2 **or 3** of this section [or the provisions of section 287.129] shall be guilty of a class [D] C felony.

[4.] 5. It shall be unlawful for any person, company, or other entity to prepare or provide an invalid certificate of insurance as proof of workers' compensation insurance. Any person violating any of the provisions of this subsection shall be guilty of a class D felony and, in addition, shall be liable to the state of Missouri for a fine up to ten thousand dollars or double the value of the fraud, whichever is greater.

6. Any person who knowingly misrepresents any fact in order to obtain workers' compensation insurance at less than the proper rate for that insurance shall be guilty of a class a misdemeanor. Any person who has previously pled guilty to or has been found guilty of violating any of the provisions of this section [or the provisions of section 287.129] and who subsequently violates any of the provisions of this section [or the provisions of section 287.129] shall be guilty of a class D felony.

[5.] 7. Any employer [failing] who knowingly fails to insure his liability pursuant to this chapter with intent to defraud shall be guilty of a class A misdemeanor and, in addition, shall be liable to the state of Missouri for a penalty in an amount equal to twice the annual premium the employer would have paid had such employer been insured or twenty-five thousand dollars, which amount is greater. After January 1, 2006, any person who has previously pled guilty to or has been found guilty of violating any of the provisions of this section [or the provisions of section 287.129] and who subsequently violates any of the provisions of this section [or the provisions of section 287] shall be guilty of a class D felony.

[6.]8. Any person may file a complaint alleging fraud or noncompliance with this chapter with a legal advisor in the division of workers' compensation. The legal advisor shall refer the complaint to the fraud and noncompliance

unit within the division. The unit shall investigate all complaints and present any finding of fraud or noncompliance to the director, who may refer the file to the attorney general. The attorney general may prosecute any fraud or noncompliance associated with this chapter. All costs incurred by the attorney general associated with any investigation and prosecution pursuant to this subsection shall be paid out of the workers' compensation fund. Any fines or penalties levied and received as a result of any prosecution under this section shall be paid to the workers' compensation fund. Any restitution ordered as a part of the judgment shall be paid to the person or persons who were defrauded.

9. Any and all reports, records, tapes, photographs, and similar materials or documentation submitted by any person, including the department of insurance, to the fraud and noncompliance unit or otherwise obtained by the unit pursuant to this section, used to conduct an investigation for any violation under chapter 287, shall be considered confidential and not subject to the requirements of chapter 610, RSMo. Nothing in this subsection prohibits the fraud and noncompliance unit from releasing records used to conduct an investigation to the local, state, or federal law enforcement authority or federal or state agency conducting an investigation, upon written request.

[7.] **10.** There is hereby established in the division of workers' compensation a fraud and noncompliance administrative unit responsible for investigating incidences of fraud and failure to comply with the provisions of this chapter.

11. Any prosecution for a violation of the provisions of this section or section 287.129 shall be commenced within three years after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense. As used in this subsection, the term "person who has a legal duty to represent an aggrieved party" shall mean the attorney general or the prosecuting attorney having jurisdiction to prosecute the action.

12. By January 1, 2006, the attorney general shall forward to the division and the members of the general assembly, the first edition of an annual report of the costs of prosecuting fraud and noncompliance under this chapter. The report shall include the number of cases filed with the attorney general by county by the fraud and noncompliance unit, the number of cases prosecuted by county by the attorney general and county prosecutor, fines and penalties levied and received, and all incidental costs."; and

Further amend said bill, Section 287.640, Page 32, Lines 1-22, by deleting all of said lines; and

Further amend said bill, Section 287.715, Page 35, Line 31, by deleting the word "ensuing" and inserting in lieu thereof the following:

"following"; and

Further amend said bill, Section 287.715, Page 35, Line 55, by deleting the word "ensuing" and inserting in lieu thereof the following:

"following"; and

Further amend said bill, Section 287.808, Page 37, Lines 5 to 8, by deleting all of said lines and inserting in lieu thereof the following:

"is more likely to be true than not true."; and

Further amend said bill, Section 287.616, Page 45, Line 9, by inserting after all of said line the following:

"287.642. The division of workers' compensation shall create in each of its area offices a public information program to assist all parties involved with an injury or claim under this chapter. [In providing assistance under this section, all of the division's legal advisors shall also act as public information persons and shall, upon request, meet with or otherwise provide information to employees, employers, insurers and health care providers and shall investigate complaints of possible violations of the provisions of this chapter. The division shall employ two additional legal advisors, one to be located in the St. Louis office and one to be located in the Jefferson City office. Assistance provided under this section shall not include representing the claimant in a compensation hearing provided for in section 287.470.]

Section B. The repeal and reenactment of sections 287.615 and 287.612, and the repeal of section 287.616 of Section A of this act shall become effective on January 1, 2006."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pratt, **House Amendment No. 1** was adopted.

Representative Smith (118) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Section 287.610, Pages 28-31, Lines 1-121, by deleting all of said section and inserting in lieu thereof the following:

"287.610. 1. [The division may appoint such number of administrative law judges as it may find necessary, but not exceeding twenty-five in number beginning January 1, 1999, with one additional appointment authorized as of July 1, 2000, and one additional appointment authorized in each succeeding year thereafter until and including the year 2004, for a maximum of thirty authorized administrative law judges.] **After August 28, 2005, the governor may appoint additional administrative law judges for a maximum of forty authorized administrative law judges.** Appropriations [for any additional appointment] shall be based upon necessity, measured by the requirements and needs of each division office. Administrative law judges shall be duly licensed lawyers under the laws of this state. Administrative law judges shall not practice law or do law business and shall devote their whole time to the duties of their office. [Any administrative law judge may be discharged or removed only by the governor pursuant to an evaluation and recommendation by the administrative law judge review committee, hereinafter referred to as "the committee", of the judge's conduct, performance and productivity.] **The director of the division of workers' compensation shall publish and maintain on the division's web site the appointment dates or initial dates of service for all administrative law judges.**

2. The division **director, as a member of the committee** shall [require and] perform, **in conjunction with the committee, an annual [evaluations] performance audit** of [an] **all current and future** administrative law [judge, associate administrative law judge and legal advisor's conduct, performance and productivity based upon written standards established by rule] **judges by August 28, 2006.** The division[, by rule] **director, in conjunction with the committee,** shall establish the written **performance audit** standards on or before [January 1, 1999] **October 1, 2005.**

[(1) After an evaluation by the division, any administrative law judge, associate administrative law judge or legal advisor who has received an unsatisfactory evaluation in any of the three categories of conduct, performance or productivity, may appeal the evaluation to the committee.

(2) The division director shall refer an unsatisfactory evaluation of any administrative law judge, associate administrative law judge or legal advisor to the committee.

(3) When a written, signed complaint is made against an administrative law judge, associate administrative law judge or legal advisor, it shall be referred to the director of the division for a determination of merit. When the director finds the complaint has merit, it shall be referred to the committee for investigation and review.]

3. **The thirteen administrative law judges with the most years of service shall have a term of service which expires on August 28, 2008. The next thirteen administrative law judges with the most years of service in descending order shall have a term of service which expires on August 28, 2012. Administrative law judges appointed and not previously referenced in this subsection shall have a term of service which expires on August 28, 2016. Each subsequent term shall be twelve years. Administrative law judges may be eligible for reappointment. Any administrative law judge may be discharged or removed only by the governor under a performance audit by the administrative law judge review committee, hereinafter referred to as "the committee".**

4. The administrative law judge review committee **members** shall [be composed of one administrative law judge, who shall act as a peer judge on the committee and shall be domiciled in a division office other than that of the judge being reviewed, one employee representative and one employer representative, neither of whom shall] **not** have any direct or indirect employment or financial connection with a workers' compensation insurance company, claims adjustment company, health care provider nor be a practicing workers' compensation attorney. [The employee representative and employer representative] **All members of the committee** shall have a working knowledge of workers' compensation. [The employee and employer representative shall serve for four-year staggered terms and they shall be appointed by the governor. The initial employee representative shall be appointed for a two-year term. The administrative law judge who acts as a peer judge shall be appointed by the chairman of the labor and industrial relations commission and shall not serve on any two consecutive reviews conducted by the committee. Chairmanship of the committee shall rotate between the employee representative and the employer representative every other year. Staffing for the administrative review committee shall be provided, as needed, by the director of the department of labor and

industrial relations and shall be funded from the workers' compensation fund. The committee shall conduct a hearing as part of any review of a referral or appeal made according to subsection 2 of this section.

4.] **5.** The committee shall [determine] within thirty days [whether an investigation shall be conducted for a referral made pursuant to subdivision (3) of subsection 2 of this section. The committee shall make a final referral to the governor pursuant to subsection 1 of this section within two hundred seventy days of the receipt of a referral or appeal] **of completing each performance audit make a recommendation to the governor. The performance audit shall carry a recommendation of confidence or no-confidence for each administrative law judge.**

[5.] **6.** The administrative law judges appointed by the division shall only have jurisdiction to hear and determine claims upon original hearing and shall have no jurisdiction upon any review hearing, either in the way of an appeal from an original hearing or by way of reopening any prior award, except to correct a clerical error in an award or settlement if the correction is made by the administrative law judge within twenty days of the original award or settlement. The labor and industrial relations commission may remand any decision of an administrative law judge for a more complete finding of facts. The commission may also correct a clerical error in awards or settlements within thirty days of its final award. With respect to original hearings, the administrative law judges shall have such jurisdiction and powers as are vested in the division of workers' compensation under other sections of this chapter, and wherever in this chapter the word "commission", "commissioners" or "division" is used in respect to any original hearing, those terms shall mean the administrative law judges appointed under this section. When a hearing is necessary upon any claim, the division shall assign an administrative law judge to such hearing. Any administrative law judge shall have power to approve contracts of settlement, as provided by section 287.390, between the parties to any compensation claim or dispute under this chapter pending before the division of workers' compensation. Any award by an administrative law judge upon an original hearing shall have the same force and effect, shall be enforceable in the same manner as provided elsewhere in this chapter for awards by the labor and industrial relations commission, and shall be subject to review as provided by section 287.480.

[6.] **7.** Any of the administrative law judges employed pursuant to this section may be assigned on a temporary basis to the branch offices as necessary in order to ensure the proper administration of this chapter.

[7.] **8.** All administrative law judges [and legal advisors] shall be required to participate in, on a continuing basis, specific training that shall pertain to those elements of knowledge and procedure necessary for the efficient and competent performance of the administrative law judges' [and legal advisors'] required duties and responsibilities. Such training requirements shall be established by the division subject to appropriations and shall include training in medical determinations and records, mediation and legal issues pertaining to workers' compensation adjudication. Such training may be credited toward any continuing legal education requirements.

[8.] **9. (1) The director of the division, in conjunction with the administrative law judge review committee appointed by the governor, shall conduct an annual performance audit of all administrative law judges. The audit results, stating the committee's decision of confidence or no confidence of each administrative law judge shall be annually sent to the governor and the members of the general assembly no later than the first week of each legislative session. A review of no confidence following an annual audit allows the governor to withdraw the appointment of the administrative law judge. The governor shall not consider for reappointment any administrative law judge with an annual performance audit of no confidence.**

(2) The review committee shall consist of the division director, the public member of the commission, who is an attorney, two members who represent employees and two members who represent employers. The division director and the public member of commission shall serve as co-chairpersons of the committee, and shall serve on the committee during their time of employment in their respective positions. The term of service for all other members of the review committee shall be two years, with eligibility for one additional appointment for two years by the governor. However, the first review committee shall have one employee representative and one employer representative appointed for a three-year term, with eligibility for one additional appointment of two years by the governor. The review committee members shall all serve without compensation. Necessary expenses for review committee members and all necessary support services to the review committee shall be provided by the division.

10. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend title, enacting clause and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 2** was adopted.

Representative Pratt offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Pages 6, Section 287.042, Line 1, by deleting all of said section.

On motion of Representative Pratt, **House Amendment No. 3** was adopted.

Representative Cooper (155) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Pages 23-24, Section 287.190, Lines 85-110, by deleting all of said lines and inserting in lieu thereof the following:

"6. (1) "Permanent partial disability" means a disability that is permanent in nature and partial in degree, and when payment therefore has been made in accordance with a settlement approved either by an administrative law judge or by the labor and industrial relations commission, a rating **established by medical finding, certified by a physician licensed under chapter 334, RSMo, and** approved by an administrative law judge [or legal advisor], or an award by administrative law judge or the commission, the percentage of disability shall be conclusively presumed to continue undiminished whenever a subsequent injury to the same member or same part of the body also results in permanent partial disability for which compensation under this chapter may be due; provided, however, the presumption shall apply only to compensable injuries which may occur after August 29, 1959.

(2) **Permanent partial disability or permanent total disability shall be demonstrated and certified by a physician. When determining disability, a physician, administrative law judge, the division, the commission, or a reviewing court shall not consider subjective complaints of pain which are not certified by a physician. Medical opinions addressing compensability and permanent impairment shall be stated within a reasonable degree of medical certainty. In determining compensability and disability, where inconsistent or conflicting medical opinions exist, objective medical findings shall prevail over subjective medical findings.**

(3) Except where otherwise addressed in this chapter the fifth edition of the "Guide to the Evaluation of Permanent Impairment", published by the American Medical Association, shall be applied in determining the level of disability under this section.

(4) **Any award of compensation shall be reduced by an amount proportional to the permanent partial disability determined to be preexisting disease or condition or attributed to the natural process of aging sufficient to cause of prolong the disability or need of treatment."**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Page offered **House Amendment No. 1 to House Amendment No. 4.**

House Amendment No. 1

to

House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 1, Line 29 of said amendment, by inserting after said line the following:

"(5) Objective medical findings as used in subdivision 2 of subsection 6 of this section are those findings demonstrable on physical examination or by appropriate tests and/or diagnostic procedures."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Page, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Cooper (155), **House Amendment No. 4, as amended**, was adopted.

Representative Hunter offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Section 287.390, Pages 26-27, Lines 1-39, by deleting all of said section and inserting in lieu thereof the following:

"287.390. 1. [Nothing in this chapter shall be construed as preventing the] Parties to claims hereunder [from entering] **may enter** into voluntary agreements in settlement thereof, but no agreement by an employee or his **or her** dependents to waive his **or her** rights under this chapter shall be valid, nor shall any agreement of settlement or compromise of any dispute or claim for compensation under this chapter be valid until approved by an administrative law judge or the commission, nor shall an administrative law judge or the commission approve any settlement which is not in accordance with the rights of the parties as given in this chapter. No such agreement shall be valid unless made after seven days from the date of the injury or death. **An administrative law judge or the commission shall approve an agreement entered into more than forty-five days after the date of injury as valid and enforceable unless the administrative law judge or the commission makes a specific finding of fact that the agreement is manifestly unjust. Parties to claims under this chapter may enter into voluntary agreements in settlement of those claims and such agreements shall be approved, valid, and not subject to the requirements under subsection 6 of section 287.190.**

2. A compromise settlement approved by an administrative law judge or the commission during the employee's lifetime shall extinguish and bar all claims for compensation for the employee's death if the settlement compromises a dispute on any question or issue other than the extent of disability or the rate of compensation.

3. Notwithstanding the provisions of section 287.190, an employee shall be afforded the option of receiving a compromise settlement as a one-time lump sum payment. A compromise settlement approved by an administrative law judge or the commission shall indicate the manner of payment chosen by the employee.

4. A minor dependent, by parent or conservator, may compromise disputes and may enter into a compromise settlement agreement, and upon approval by an administrative law judge or the commission the settlement agreement shall have the same force and effect as though the minor had been an adult. The payment of compensation by the employer in accordance with the settlement agreement shall discharge the employer from all further obligation.

5. In any claim under this chapter where an offer of settlement is made in writing and by the employer within one hundred fifty days of the date of injury, an employee is entitled to one hundred percent of the amount offered, provided such employee is not represented by counsel at the time the offer is tendered. Where such offer of settlement is not accepted and where additional proceedings occur with regard to the employee's claim, the employee is entitled to one hundred percent of the amount initially offered plus seventy-five percent of any amount in dispute. Legal counsel representing the employee shall receive reasonable fees plus actual expenses for services rendered, not to exceed twenty-five percent of the amount in dispute.

6. As used in this chapter, "amount in dispute" means the dollar amount in excess of the dollar amount offered by, agreed to, or paid by the employer pursuant to subsection 5 of this section. An offer of settlement shall not be construed as an admission of liability."; and

Further amend title, enacting clause and intersectional references accordingly.

On motion of Representative Hunter, **House Amendment No. 5** was adopted.

Representative Burnett offered **House Amendment No. 6.**

Representative Yates raised a point of order that **House Amendment No. 6** amends previously amended material.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Meadows offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 26, Section 287.253, Line 4, by inserting after all of said line the following:

"287.290. No part of the cost of such insurance shall be assessed against, collected from or paid by any employee, **or by any independent contractor or subcontractor who is an owner and operator of a motor vehicle if the independent contractor or subcontractor is required to purchase such insurance by the motor carrier to whom he or she is leased or under contract, and the motor carrier derives a pecuniary benefit from the sale or administration of such insurance or from the award of benefits under such insurance. Nothing in this section shall be construed to deny a motor carrier from requiring an independent contractor to provide proof of worker's compensation coverage.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Meadows moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 123	Baker 25	Barnitz	Bland
Bowman	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Deeken	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 47
Johnson 61	Johnson 90	Jolly	Kelly	Kingery
Kratky	Kraus	Kuessner	LeVota	Liese
Low 39	Lowe 44	May	Meadows	Meiners
Oxford	Page	Pratt	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Yates	Young
Zweifel				

NOES: 086

Avery	Bearden	Bivins	Black	Brown 30
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter

Icet	Jackson	Jones	Lager	Lembke
Lipke	Loehner	Marsh	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 118	Smith 14	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Behnen	Boykins	Dusenberg	Lampe
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VACANCIES: 001

Representative Jolly offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 4, Section 287.020, Line 70, by inserting after all of said line the following:

"This subsection shall not apply when the employer is a law enforcement agency that has a policy allowing its law enforcement officers to take agency vehicles to their homes but which requires officers using those vehicles to respond to accidents or calls and engage in pursuits while in those vehicles and in route to their homes from the place where they are employed as a law enforcement officer, or in route from their homes to the place where they are employed as a law enforcement officer."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SS SCS SBs 1 & 130, as amended, with House Amendment No. 8, pending, was laid over.

Speaker Jetton resumed the Chair

SIGNING OF SENATE BILL

Representative Harris (23) and Representative Baker (25) offered an objection to **SS SCS SB 98.**

CONSTITUTIONAL OBJECTION

Comes now, the undersigned duly elected members of the Missouri House of Representatives to present the following objection, pursuant to Article III, Section 30, of the Missouri Constitution, to Senate Substitute for Senate Committee Substitute for Senate Bill No. 98. This legislation should not be signed because it is constitutionally infirm, and this objection shall be so noted in the Journal and annexed to the bill for the governor's consideration.

We believe that Senate Substitute for Senate Committee Substitute for Senate Bill No. 98 is constitutionally defective in that the bill:

- (1) Contains more than one subject, in violation of Article III, Section 23 of the Missouri Constitution; and
- (2) Conflicts with Article IX, Sections 9(a) and 9(b) of the Missouri Constitution, which state that the state of Missouri shall have only one "state university".

1. Single Subject

Article III, Section 23 of the Missouri Constitution states:

No bill shall contain more than one subject which shall be clearly expressed in its title, except bills enacted under the third exception in section 37 of this article and general appropriation bills, which may embrace the various subjects and accounts for which moneys are appropriated.

Senate Substitute for Senate Committee Substitute for Senate Bill No. 98, in Section 1 of the bill, includes a wide variety of different subjects, including but not limited to, the re-naming of different institutions with different educational missions, histories, and purposes.

In its analysis of Article III, Section 23 of the Missouri Constitution, the Missouri Supreme Court has held:

The words "one subject" must be broadly read, but not so broadly that the phrase becomes meaningless. To that end, this Court's test for determining whether a bill violates the single subject requirement of Article III, Section 23, has remained virtually the same since 1869. So long as "the matter is germane, connected and congruous," the law does not violate the single subject rule. *State v. Mathews*, 44 Mo. 523, 527 (1869). Cf. *Westin Crown Plaza Hotel*, 664 S.W.2d at 6. (The test to determine if "a bill contains more than one subject is whether all provisions of the bill fairly relate to the same subject, have a natural connection therewith or are incidents or means to accomplish its purpose.") From these consistent precedents we conclude that a "subject" within the meaning of Article III, Section 23, includes all matters that fall within or reasonably relate to the general *core purpose* of the proposed legislation. (Emphasis added.)

The core purpose of the proposed legislation is to change the name of Southwest Missouri State University to Missouri State University. However, portions of the bill relate to completely different institutions with different purposes and different missions. Therefore, the bill contains more than one subject, and is in violation of Article III, Section 23 of the Missouri Constitution.

2. "The" State University

Senate Substitute for Senate Committee Substitute for Senate Bill No. 98 amends sections 174.020, 174.450 and 176.010 changing Southwest Missouri State University into "Missouri State University." However, the Missouri Constitution, in Article IX, Section 9(a), states:

The government of *the state university* shall be vested in a board of curators consisting of nine members appointed by the governor, by and with the advice and consent of the senate. (Emphasis added.)

Further, the Missouri Constitution, in Article IX, Section 9(b), states:

The general assembly shall adequately maintain *the state university* and such other educational institutions as it may deem necessary. (Emphasis added.)

The common and ordinary usage and meaning of the word "the" before a noun indicates the noun is a single, specific subject. As defined in *Webster's Dictionary*, the word "the" is an article "used as a determiner before nouns and noun phrases designating particular persons or things." The use of the word "the" in Sections 9(a) and 9(b) of Article IX demonstrates the clear intent of the General Assembly to designate one educational institution as "the state university." A statute naming an additional educational institution as a "state university" would be in direct conflict with Article IX, Sections 9(a) and 9(b), and, thus, would be null and void.

For the above stated reason and other reasons not stated here, we conclude that the Senate Substitute for Senate Committee Substitute for Senate Bill No. 98 as Truly Agreed and Finally Passed by the 93rd General Assembly is unconstitutional and should not be signed.

Respectfully submitted:

/s/ Jeff Harris
District 23

/s/ Judy Baker
District 25

All other business of the House was suspended while **SS SCS SB 98** was read at length and was signed by the Speaker to the end that the same may become law.

Representative Cooper (120) resumed the Chair.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Brandon Louis Ross.

HOUSE RESOLUTION

Representative Storch offered House Resolution No. 838.

HOUSE CONCURRENT RESOLUTION

Representatives Schlottach and Bearden, et al., offered House Concurrent Resolution No. 25.

THIRD READING OF SENATE BILL

HCS SS SCS SBs 1 & 130, as amended, with House Amendment No. 8, pending, relating to workers' compensation, was again taken up by Representative Hunter.

On motion of Representative Jolly, **House Amendment No. 8** was adopted by the following vote:

AYES: 117

Aull	Avery	Baker 123	Baker 25	Bearden
Bivins	Black	Bland	Bowman	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 86	Curls	Darrough

Daus	Davis	Day	Deeken	Dempsey
Donnelly	Dougherty	Ervin	Faith	Fares
Fisher	Flook	Fraser	George	Goodman
Harris 110	Harris 23	Henke	Hoskins	Hubbard
Hughes	Hunter	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	LeVota	Liese
Lipke	Low 39	Lowe 44	Marsh	McGhee
Meadows	Meiners	Muschany	Nieves	Oxford
Page	Parson	Portwood	Pratt	Quinn
Richard	Robinson	Roorda	Ruestman	Rupp
Salva	Sander	Schaaf	Schad	Schlottach
Schoemehl	Selby	Self	Shoemyer	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Villa	Vogt
Wagner	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 130	Witte
Wright-Jones	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 030

Cunningham 145	Denison	Dethrow	Dixon	Emery
Franz	Guest	Hobbs	Ice	Jackson
Johnson 47	Lembke	Loehner	May	Moore
Munzlinger	Myers	Nance	Nolte	Pearce
Phillips	Pollock	Roark	Robb	Sater
Smith 118	Tilley	Wallace	Wilson 119	Wood

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 014

Barnitz	Bean	Behnen	Boykins	Byrd
Dusenberg	Haywood	Parker	Rector	Rucker
Schneider	Skaggs	Viebrock	Wright 137	

VACANCIES: 001

Representative Cooper (120) resumed the Chair.

Representative Stevenson offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 6, Section 287.042, Line 2, by inserting after all of said line the following:

"287.043. In applying the provisions of subsection 1 of section 287.020 and subsection 4 of section 287.040, it is the intent of the legislature to reject and abrogate earlier case law interpretations on the meaning of or definition of "owner", as extended in the following cases: *Owner Operator Independent Drivers Ass'n, Inc. v. New Prime, Inc.*, 133 S.W.3d 162 (Mo.App. S.D.,2004); *Nunn v. C.C. Midwest*, 151 S.W.3d 388 (Mo.App. W.D.,2004)."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 9** was adopted.

Representative Parson offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 9, Section 287.120, Line 53, by inserting after "7." the following:

"An employee's refusal to take a test for alcohol or a nonprescribed controlled substance, as defined by section 195.010, RSMo, at the request of the employer shall result in forfeiture of benefits under this chapter if the employer had sufficient cause to suspect use of alcohol or a nonprescribed controlled substance by the claimant or if the employer's policy clearly authorizes post-injury testing.

8."; and

Further amend said bill, Page 9, Section 287.120, Line 66, by deleting "8." and inserting in lieu thereof:

"[8.] 9."; and

Further amend said bill, Page 10, Section 287.120, Line 70, by deleting "9." and inserting in lieu thereof:

"[9.] 10."; and

Further amend said bill, Page 10, Section 287.120, Line 73, by deleting "10." and inserting in lieu thereof:

"[10.] 11."; and

Further amend said bill, Page 10, Section 287.120, Line 75, by deleting "11." and inserting in lieu thereof:

"12."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Parson, **House Amendment No. 10** was adopted.

Representative Flook offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 10, Section 287.120, Lines 75 thru 84, by deleting all of said lines and inserting in lieu thereof the following:

"11. An employee shall forfeit compensation for an injury or occupational disease under the provisions of this chapter, including compensation from the second injury fund created under section 287.220, and this state shall have no jurisdiction over any workers' compensation claim of an employee, when the employee:

(1) Files a claim or application for a hearing in another state or commonwealth of competent jurisdiction requesting workers' compensation benefits for the injury or occupational disease; or

(2) Has affirmatively requested and accepted benefits for the injury from another state or commonwealth of competent jurisdiction."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

On motion of Representative Flook, **House Amendment No. 11** was adopted.

Speaker Pro Tem Bearden resumed the Chair.

Representative Cooper (120) offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 39, Section 287.865, Line 46, by deleting said line and inserting in lieu thereof the following:

“member filing bankruptcy, liquidation or dissolution, shall notify in writing any employee of the self-insured”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 12** was adopted.

Representative Portwood offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Section 287.972, Page 45, Line 36, by inserting after all of said line the following:

“Section 1. No health care provider who in good faith reports a violation of the provisions of section 287.128 or section 287.129 is civilly liable for making such report, nor, if such person is an officer of employee or health care provider of any health maintenance organization or insurance company, may such person be demoted, fired, suspended, or otherwise disciplined or sanctioned for making such report.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wright (137) offered **House Amendment No. 1 to House Amendment No. 13.**

House Amendment No. 1

to

House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130,

“Any chiropractic physician licensed under chapter 331, RSMo, shall not be excluded from rendering an impairment rating provided the chiropractic physician has completed certification in impairment ratings based upon the AMA’s Guide to evaluation of Permanent Impairment”.

On motion of Representative Wright (137), **House Amendment No. 1 to House Amendment No. 13** was adopted.

Representative Portwood moved that **House Amendment No. 13, as amended**, be adopted.

Which motion was defeated.

Representative Darrough offered **House Amendment No. 14**.

Representative Pratt raised a point of order that **House Amendment No. 14** amends previously amended material.

The Chair ruled the point of order well taken.

Representative Harris (23) offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 18, Section 287.140, Lines 149 to 153, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Harris (23) moved that **House Amendment No. 15** be adopted.

Which motion was defeated.

Representative Bowman offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Pages 6-7, Section 287.067, Lines 19-24, by deleting all of said lines following the word “compensable” and inserting a period.

Representative Bowman moved that **House Amendment No. 16** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Rucker
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Stevenson	Storch	Swinger	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 091

Avery	Baker 123	Bearden	Bivins	Black
Brown 30	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Faith	Fares	Fisher
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Smith 118	Smith 14	Stefanick
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

PRESENT: 001

Byrd

ABSENT WITH LEAVE: 005

Bean	Behnen	Dusenberg	Flook	Wagner
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VACANCIES: 001

Representative Walsh offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 28, Section 287.420, Lines 9 and 10, by deleting the words “time, place, and”.

Representative Walsh moved that **House Amendment No. 17** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Aull	Baker 25	Barnitz	Bland	Bowman
Bringer	Brooks	Burnett	Byrd	Chappelle-Nadal
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Flook	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	Lowe 44	Meadows
Meiners	Nance	Oxford	Page	Robinson
Roorda	Rucker	Salva	Sater	Schoemehl
Selby	Shoemyer	Skaggs	Smith 14	Spreng

Stevenson	Storch	Swinger	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 087

Avery	Baker 123	Bearden	Bivins	Black
Brown 30	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Faith	Fares	Fisher
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Schaaf
Schad	Schlottach	Schneider	Self	Smith 118
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Behnen	Boykins	Brown 50	Dusenberg
Wagner				

VACANCIES: 001

Representative Cooper (120) resumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Hunter, **HCS SS SCS SBs 1 & 130, as amended**, was adopted.

On motion of Representative Hunter, **HCS SS SCS SBs 1 & 130, as amended**, was read the third time and passed by the following vote:

AYES: 090

Avery	Baker 123	Bearden	Bivins	Brown 30
Bruns	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Fisher	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte

Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 118	Smith 14	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 066

Aull	Baker 25	Barnitz	Black	Bland
Bowman	Bringer	Brown 50	Burnett	Byrd
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Flook
Fraser	George	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Stevenson	Storch	Swinger
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Behnen	Boykins	Brooks	Dusenberg
Wagner				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

COMMITTEE REPORTS

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 431**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 58**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 243**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 423**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 437**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 530**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 530

WHEREAS, the members of the Missouri House of Representatives enjoy a long, proud tradition of meeting their responsibilities to the citizens of this state while upholding the virtues represented by the "Glory of Missouri": Knowledge, Liberty, Equality, Law, Justice, Fraternity, Education, Progress, Honor, Truth, Virtue, Temperance, Enterprise, and Charity; and

WHEREAS, these virtues are engraved in the House Chamber of the State Capitol with the inscription: "All the foregoing human qualities bind into one theme, the Glory of Missouri because no people attain these virtues unless they are great"; and

WHEREAS, the "Glory of Missouri" Award was created to encourage the values held by the early leaders of Missouri and to recognize those standards as exemplified in our schools and communities by this state's young people, the future of Missouri:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant permission for the House Chamber and Third Floor Rotunda area to be used for the purpose of presenting the "Glory of Missouri" Award to the young citizens of this great state on Monday, April 11, 2005, from 12:15 p.m. to 1:30 p.m.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 717**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 717

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Jefferson City Downtown Rotary Club has sought to instill values of high integrity within our youth and to provide an opportunity for Missouri students to experience state government firsthand; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for beneficial purposes; and

WHEREAS, this year, the Jefferson City Downtown Rotary Club is sponsoring its annual Student Government Day, an event which will be highlighted by a meeting in the House Chamber of our State Capitol where students in attendance will be addressed by a representative of each of the three branches of government:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant the Jefferson City Downtown Rotary Club permission to use the House Chamber for the purpose of conducting its Student Government Day on Monday, March 21, 2005, from 8:00 a.m. until 11:30 a.m.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 757**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 757

WHEREAS, the Missouri House of Representatives recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the House of Representatives has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purpose to promote the material and spiritual well being of all the people of the State of Missouri and to participate in the democratic processes of government:

NOW, THEREFORE, BE IT RESOLVED, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby grant the Missouri Catholic Conference permission to use the House Chamber and the House Hearing Rooms from 7:00 a.m. to 7:00 p.m. on Saturday, October 1, 2005, for the purpose of holding a citizens assembly and workshops.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 4**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE CONCURRENT RESOLUTION NO. 4

WHEREAS, the current government of Vietnam is a nondemocratic, one-party system of government without rule of law that arbitrarily infringes upon the basic human and civil liberties of its citizens; and

WHEREAS, Vietnamese-Americans were forced to flee Vietnam in fear of the government of Vietnam's campaign of retribution and persecution after the fall of Saigon in 1975; and

WHEREAS, the State of Missouri is home to 20,000 Vietnamese-Americans and residents of Vietnamese descent who have made substantial contributions to the cultural, religious, business, and commerce of the State of Missouri; and

WHEREAS, the vast majority of Vietnamese-Americans embrace the yellow with three red stripes heritage and freedom flag as the official symbol of the Vietnamese-American community; and

WHEREAS, dating back to 1948, the yellow flag with three red stripes has a long history in Vietnam and is a broader symbol of resilience, freedom, and democracy of and for Vietnamese-Americans and free Vietnamese around the world; and

WHEREAS, Vietnamese-Americans have shown their desire that the yellow flag with three red stripes be recognized as the official flag of the Vietnamese-American community:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby urge the State of Missouri to formally recognize the yellow with three red stripes heritage and freedom flag as the official flag of the Vietnamese-American community in this state, and permit this flag to be displayed on any state-owned property, at any state-controlled or sponsored Vietnamese-American event, or at any public function organized by the Vietnamese-American community, subject to the permit requirements of the event's locality; and

BE IT FURTHER RESOLVED that the Missouri House of Representatives encourages county officials and city legislators in the State of Missouri to pass resolutions recognizing the yellow with three red stripes heritage and freedom flag as the official flag of the Vietnamese-American community.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 47**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 100**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 3 hours for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 163, 213 & 216**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 174**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 215**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 592**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 685, introduced by Representative Franz, to authorize the board of governors of Southwest Missouri State University to convey property in Howell County.

HB 686, introduced by Representative Wood, relating to county government.

HB 687, introduced by Representatives Rucker, Robinson, Henke, Swinger, Wagner, Dougherty, Whorton, Wallace, Aull, Wright (137), Harris (110), Shoemyer, Richard, Schad, Robb, Weter, Nance, Sater, Wells, Day, Dempsey, Bringer, Bland, Salva, Roorda, Kuessner, Parson, Schaaf, Witte, Selby, Wildberger, Brown (50), Barnitz, Casey and Lampe, relating to ethanol blend fuel.

HB 688, introduced by Representatives Byrd, Burnett, Pratt, Stevenson, Johnson (61), Yates, Johnson (90), Goodman, Witte, Vogt, Bringer, Flook and Lipke, relating to judicial procedures.

HB 689, introduced by Representatives Zweifel and Spreng, relating to removal of nuisances.

HB 690, introduced by Representative St. Onge, relating to salvage motor vehicles.

HB 691, introduced by Representative Cooper (120), relating to gambling devices.

HB 692, introduced by Representative Cooper (120), relating to definitions for sales tax.

HB 693, introduced by Representative Yates, relating to risk management for public entities.

HB 694, introduced by Representatives Stevenson, Myers, Moore and Portwood, relating to child support.

HB 695, introduced by Representatives Stevenson, Myers and Moore, relating to the interstate compact for juveniles.

HB 696, introduced by Representatives Stevenson, Wilson (130), Richard, Ruestman and Hunter, relating to intermediate care facilities for the mentally retarded.

HB 697, introduced by Representatives Lembke, Portwood, St. Onge, Jackson, Dempsey, Nieves, Bivins, Smith (14), Cunningham (86), Bearden, Threlkeld, Schneider, Icet, Davis, Parker, Yaeger, Sutherland, Vogt, Corcoran, Zweifel, Hubbard, Liese, Meadows and Avery, relating to motor vehicles emission testing.

HB 698, introduced by Representatives Avery, Jackson, Smith (14), Nieves, Portwood, Walton, Kingery, Hobbs, Brown (30), Lembke, Pratt, Yates, Fares, Threlkeld, Franz, Sater, Sutherland, Bruns, Schaaf, Munzlinger, Wright (159), Roark, St. Onge, Tilley, Davis, Marsh, Dixon, Bivins, Stevenson, May, Fisher, Schlottach, Weter, Schneider, Flook, Bearden, Smith (118), Baker (123), Icet, Wood, Pearce, Schoemehl, Sander, Skaggs, Storch, Burnett, Young, Liese, Henke, Dougherty, Robinson and Hoskins, relating to fees for hunting and fishing licenses and permits.

HB 699, introduced by Representatives Avery, Jackson, Smith (14), Lembke, Nieves, Portwood, Walton, Kingery, Pratt, Yates, Kraus, Threlkeld, Hobbs, Franz, Sater, Sutherland, Bruns, Schaaf, Munzlinger, Wright (159), Roark, St. Onge, Tilley, Dixon, Marsh, Bivins, Stevenson, Flook, May, Rector, Fisher, Schlottach, Weter, Schneider, Bearden, Smith (118), Wood, Baker (123), Icet, Pearce, Schoemehl, Sander, Skaggs, Storch, Burnett, Walsh, Young, Liese, Henke, Dougherty, Robinson, Hoskins and El-Amin, relating to an income tax exemption for military service personnel.

HB 700, introduced by Representatives Moore, Kelly, Tilley, Yates, Cooper (120), Fisher, Wildberger, Darrough, Pollock, Aull, Harris (110), Baker (25), Jolly, Brown (50), Deeken, Bruns, Richard, Kingery, Nieves, Pearce, Lipke, Wasson, Nolte, Selby, Barnitz, Meadows, St. Onge, Hobbs, Portwood, Self, Kraus, Muschany, Cunningham (86), Schlottach, Weter, Robb, Ruestman, Stevenson, Wilson (119), Sander, Wells, Munzlinger, Sater, Parson, Jones, Schad, Nance, Lembke, Goodman and Wood, relating to the endangerment of individuals at correctional facilities.

COMMITTEE ASSIGNMENT

SPECIAL COMMITTEE ON GENERAL LAWS

Brad Roark - Chair

Jack Goodman - Vice-Chair

Steve Hunter

Allen Icet

Brian Yates

Jim Whorton

John Bowman

Bruce Darrough

COMMITTEE CHANGES

Representative Bean is no longer a member of the Corrections and Public Institutions Committee and the Joint Committee on Gaming and Wagering.

Representative Avery has been appointed a member of the Corrections and Public Institutions Committee and the Joint Committee on Gaming and Wagering.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 2**.

SENATE CONCURRENT RESOLUTION NO. 2

WHEREAS, faith-based and community organizations are currently providing quality social services and making a positive difference in the communities they serve; and

WHEREAS, faith-based and community organizations are serving their communities in areas such as the prevention and treatment of juvenile delinquency, child care services, support services for the elderly, the prevention of crime, the intervention in and prevention of domestic violence, and a number of other social service areas; and

WHEREAS, some of these faith-based and community organizations are currently receiving funds from federal government, or through a state, city, or local government that itself receives federal funds, to carry out their missions; and

WHEREAS, because of the quality services provided by these organizations, it is important for the state and local governments to utilize their services by working in partnership with faith-based and community organizations; and

WHEREAS, faith-based and community organizations that currently work in partnership with local governments or judicial circuits are doing so within the framework of the Constitutional church-state guidelines:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby express their gratitude to faith-based and community organizations working in their communities to improve the lives of the citizens of this state; and

BE IT FURTHER RESOLVED that we support the mission of faith-based and community organizations to provide social services to improve the lives of our citizens; and

BE IT FURTHER RESOLVED that we support and encourage the state and all local governments to work in partnership with faith-based and community organizations to provide quality social services that improve the lives of so many of our citizens in particular and better our society in general; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, the presiding judge of each judicial circuit in this state, and to the director of each state department.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Behnen.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, March 3, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative John C. Bowman, District 70, hereby state and affirm that my vote as recorded on Page 434 of the House Journal for March 1, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted yes. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of March 2005.

/s/ John Bowman
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sharon Sanders Brooks, District 37, hereby state and affirm that my vote as recorded on the motion to third read and pass HCS SS SCS SBs 1 & 130, as amended, in the House Journal for March 2, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that

I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of March 2005.

/s/ Sharon Sanders Brooks
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Curt Dougherty, District 53, hereby state and affirm that my vote as recorded on Page 434 of the House Journal for March 1, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of March 2005.

/s/ Curt Dougherty
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

Correct House Journal, Thirty-first Day, Tuesday, March 1, 2005, Page 438, Line 10, by deleting the word “it” and inserting in lieu thereof the following:

“the **House Committee Substitute**”

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 4.

Markup on Departments of Agriculture and Natural Resources. AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 7.

Markup on Statewide Leasing (if necessary), Judiciary, Public Defender, General Assembly.

INSURANCE POLICY

Thursday, March 3, 2005, 9:00 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 496, HB 388, HB 417, HB 400, HB 394

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY AND PLANNING

Thursday, March 3, 2005, 12:30 p.m. Hearing Room 6.

Organizational meeting.

Discuss 7-year extension of Neosho/Newton County enterprise zone.

JUDICIARY

Thursday, March 3, 2005, South gallery upon morning adjournment.

Executive session may follow.

Reconsideration votes on HCS HB 208 and HB 567

LOCAL GOVERNMENT

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 444, HB 445, HB 465, HB 479, HB 405, HB 505

LOCAL GOVERNMENT

Monday, March 7, 2005, Hearing Room 1 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 260, HB 395, HB 577, HB 485

RULES

Thursday, March 3, 2005, 9:00 a.m. Hearing Room 3.

Executive session will follow. Reconsider HCS HB 47. AMENDED

Public hearings to be held on: HCS HB 186, HB 48,

HB 269, HCS HB 348, HB 361, HB 580

SENIOR CITIZEN ADVOCACY

Thursday, March 3, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 507

SPECIAL COMMITTEE ON EDUCATION FUNDING

Monday, March 7, 2005, Hearing Room 6 upon afternoon adjournment.

Informational only. Report from Joint Committee.

HOUSE CALENDAR

THIRTY-THIRD DAY, THURSDAY, MARCH 3, 2005

HOUSE BILLS FOR SECOND READING

HB 685 through HB 700

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Lager

HOUSE BILLS FOR PERFECTION - CONSENT

(3/01/05)

- 1 HCS HB 135 - Richard
- 2 HB 229 - Portwood
- 3 HB 230 - Portwood
- 4 HCS HB 379 - Cooper (120)

(3/02/05)

- 1 HB 40 - Tilley
- 2 HCS HB 56 - Threlkeld
- 3 HB 127 - Bivins

(3/03/05)

- 1 HCS HB 47 - Brown (30)
- 2 HCS HB 163, 213 & 216 - Smith (14)
- 3 HB 592 - Cooper (120)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 248 - Pearce
- 2 HCS HB 297 - Pearce

HOUSE CONCURRENT RESOLUTION

HCR 11, (2-17-05, Pages 351-352) - Sander

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTY-THIRD DAY, THURSDAY, MARCH 3, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father James M. Smith, Associate Pastor, St. Peter Church.

Blessed are You, Lord, God of all creation.
You have shown great favor to Your servants,
the fathers of our nation and our state,
because they behaved faithfully toward You,
with justice and upright hearts;
and You have continued this great favor toward them,
even today, gathering us together in this house of government.
O Lord, our God, You have made us Your servants,
setting us as stewards
who succeed those who established
this great body.
But we are so limited in judgment,
not knowing fully Your will for us.
We serve You in the midst of the people to whom
You have given such great freedom and responsibility,
a people diverse in culture and thought.
Give to Your servants, therefore,
wisdom and an understanding heart
to lead Your people
and to distinguish right from wrong.
For who is able to lead Your people apart from You?
We offer this prayer to You,
Who lives and reigns
supreme over the nations,
supreme among the peoples,
Forever and ever.

(Adapted from Solomon's Prayer for Wisdom)
I Kings 3:6-9

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Harrison Charles Jones, Joe Salmeri, Samantha Everett, Austin Karvis and Kenny Dodson.

The Journal of the thirty-second day was approved as corrected.

HOUSE RESOLUTIONS

Representative Fraser, et al., offered House Resolution No. 870.

Representative Baker (25) offered House Resolution No. 923.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 839

through

- House Resolution No. 842 - Representative Lager
- House Resolution No. 843 - Representative Denison
- House Resolution No. 844 - Representative Lager
- House Resolution No. 845 - Representative Jackson
- House Resolution No. 846 - Representative Black
- House Resolution No. 847 - Representative Roorda
- House Resolution No. 848 - Representative Smith (14)
- House Resolution No. 849 - Representative Wright (137), et al.
- House Resolution No. 850 - Representative Dethrow
- House Resolution No. 851 - Representative Robinson

House Resolution No. 852

through

- House Resolution No. 854 - Representative Moore
- House Resolution No. 855 - Representative Cooper (158)
- House Resolution No. 856 - Representative Pratt
- House Resolution No. 857 - Representative Cooper (158)
- House Resolution No. 858 - Representative Jetton

House Resolution No. 859

and

- House Resolution No. 860 - Representative Harris (110)
- House Resolution No. 861 - Representative Smith (14)
- House Resolution No. 862 - Representative Weter

House Resolution No. 863

through

- House Resolution No. 869 - Representative Jetton
- House Resolution No. 871 - Representative Salva
- House Resolution No. 872 - Representative Hubbard
- House Resolution No. 873 - Representative Stevenson
- House Resolution No. 874 - Representative Munzlinger
- House Resolution No. 875 - Representative Donnelly
- House Resolution No. 876 - Representative Cooper (158)

House Resolution No. 877

through

- House Resolution No. 888 - Representatives Bivins and Lembke

House Resolution No. 889
 through
 House Resolution No. 902 - Representative Lembke
 House Resolution No. 903
 through
 House Resolution No. 916 - Representatives Bivins and Schoemehl
 House Resolution No. 917 - Representative Lager
 House Resolution No. 918 - Representatives Avery and Tilley
 House Resolution No. 919 - Representative Kratky
 House Resolution No. 920 - Representatives Wagner and Robinson
 House Resolution No. 921 - Representative Walsh
 House Resolution No. 922 - Representative Flook
 House Resolution No. 924 - Representative Johnson (61), et al.
 House Resolution No. 925
 and
 House Resolution No. 926 - Representative Witte

SECOND READING OF HOUSE BILLS

HB 685 through **HB 700** were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HB 248, relating to motor vehicle time sales, was taken up by Representative Pearce.

On motion of Representative Pearce, **HB 248** was read the third time and passed by the following vote:

AYES: 132

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Bivins	Black	Bland	Bowman
Brown 30	Brown 50	Bruns	Byrd	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Haywood	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	LeVota	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Roorda	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Sutherland	Swinger	Threlkeld

Tilley	Viebrock	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 019

Bringer	Burnett	Chappelle-Nadal	Darrough	Daus
Donnelly	El-Amin	Henke	Johnson 90	Jolly
Lampe	Lembke	Low 39	Robinson	Rucker
Storch	Villa	Whorton	Yaeger	

PRESENT: 004

Boykins	Brooks	Johnson 61	Oxford
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ABSENT WITH LEAVE: 007

Bean	Behnen	Deeken	Dusenberg	Hubbard
Meadows	Schneider			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 297, relating to school accountability report cards, was taken up by Representative Pearce.

On motion of Representative Pearce, **HCS HB 297** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander

Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 002

St. Onge Whorton

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Behnen	Dusenberg	Haywood	Hubbard
Liese	Meadows	Schneider		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

REFERRAL OF HOUSE RESOLUTION

HR 569 - Elementary and Secondary Education

REFERRAL OF HOUSE JOINT RESOLUTIONS

HJR 7 - Elections

HJR 14 - Elections

HJR 20 - Elementary and Secondary Education

HJR 21 - Small Business

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

HCR 16 - Veterans

HCR 23 - Health Care Policy

HCR 24 - Elementary and Secondary Education

HCR 25 - Elementary and Secondary Education

REFERRAL OF HOUSE BILLS

HB 70 - Ways and Means

HB 105 - Special Committee on General Laws

HB 113 - Transportation

HB 249 - Crime Prevention and Public Safety

HB 301 - Local Government

HB 332 - Crime Prevention and Public Safety

HB 415 - Local Government
HB 515 - Tourism
HB 555 - Special Committee on General Laws
HB 562 - Small Business
HB 590 - Corrections and Public Institutions
HB 591 - Elementary and Secondary Education
HB 612 - Transportation
HB 613 - Small Business
HB 614 - Corrections and Public Institutions
HB 615 - Judiciary
HB 616 - Local Government
HB 617 - Conservation and Natural Resources
HB 618 - Transportation
HB 619 - Corrections and Public Institutions
HB 620 - Health Care Policy
HB 622 - Insurance Policy
HB 623 - Retirement
HB 624 - Retirement
HB 625 - Retirement
HB 626 - Health Care Policy
HB 627 - Budget
HB 629 - Job Creation and Economic Development
HB 630 - Judiciary
HB 632 - Transportation
HB 633 - Crime Prevention and Public Safety
HB 634 - Transportation
HB 635 - Transportation
HB 636 - Health Care Policy
HB 637 - Workforce Development and Workplace Safety
HB 638 - Special Committee on Urban Issues
HB 640 - Utilities
HB 641 - Crime Prevention and Public Safety
HB 642 - Conservation and Natural Resources
HB 643 - Judiciary
HB 645 - Children and Families
HB 646 - Senior Citizen Advocacy
HB 647 - Financial Institutions
HB 648 - Agriculture Policy
HB 649 - Senior Citizen Advocacy
HB 650 - Children and Families
HB 651 - Small Business
HB 652 - Professional Registration and Licensing
HB 653 - Transportation
HB 654 - Insurance Policy
HB 656 - Senior Citizen Advocacy
HB 657 - Health Care Policy
HB 658 - Agriculture Policy

HB 659 - Insurance Policy
HB 660 - Conservation and Natural Resources
HB 661 - Corrections and Public Institutions
HB 662 - Professional Registration and Licensing
HB 663 - Senior Citizen Advocacy
HB 664 - Professional Registration and Licensing
HB 665 - Professional Registration and Licensing
HB 666 - Agriculture Policy
HB 667 - Insurance Policy
HB 668 - Insurance Policy
HB 670 - Professional Registration and Licensing
HB 671 - Health Care Policy
HB 676 - Elections
HB 677 - Judiciary
HB 678 - Judiciary
HB 680 - Agriculture Policy
HB 681 - Senior Citizen Advocacy
HB 682 - Small Business
HB 683 - Children and Families
HB 684 - Crime Prevention and Public Safety
HB 688 - Judiciary

REFERRAL OF SENATE BILL

SB 86 - Judiciary

COMMITTEE REPORTS

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 232**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 397**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 208**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 567**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 342**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 448**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Senior Citizen Advocacy, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Senior Citizen Advocacy, to which was referred **HB 231**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 48**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 30 minutes for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 186**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 269**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 348**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 361**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 580**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 701, introduced by Representative Richard, relating to state tax increment financing.

HB 702, introduced by Representative Behnen, relating to licensed clinical social workers and licensed baccalaureate social workers.

HB 703, introduced by Representatives Shoemyer, Barnitz, Bringer, Henke, Witte and Rucker, relating solely to the creation of a tax credit for service station owners who sell ethanol.

HB 704, introduced by Representatives Shoemyer, Chappelle-Nadal, Darrough, Wildberger, Corcoran, Lowe (44), Burnett, Witte, Meadows, George, Oxford, Brown (50), Bringer, Rucker, Fraser, Spreng, Walsh, Swinger, Henke, Baker (25), Low (39), LeVota and Bowman, relating to financial incentives for employers.

HB 705, introduced by Representative Fraser, relating to salvage vehicles.

HB 706, introduced by Representatives Quinn, Sander, Hobbs, Whorton, LeVota, Schad, Jones, Wallace, Munzlinger, Shoemyer, Harris (110), Brown (30), Parson, Chinn and Nance, relating to hand fishing.

HB 707, introduced by Representatives Cunningham (145) and Byrd, relating to banking.

HB 708, introduced by Representative Yates, for the sole purpose of repealing certain expired, sunset, terminated, and ineffective statutory provisions.

HB 709, introduced by Representatives Fraser, Parker, Johnson (61), Wright-Jones, Oxford, Chappelle-Nadal, Baker (25), Wildberger and Donnelly, relating to domestic violence offenses.

HB 710, introduced by Representatives Faith and Bearden, relating to pawnbrokers.

HB 711, introduced by Representatives Nolte, Phillips, Nance, Wright (137), Wilson (119), Moore, Wood, Day, Brown (30), Wells, Weter and Jackson, relating to state purchasing.

HB 712, introduced by Representatives Cooper (158) and Meadows, relating to probation and parole officers.

HB 713, introduced by Representative Cooper (158), relating to aviation.

HB 714, introduced by Representative Cooper (158), relating to proceedings before trial in criminal cases involving a change of venue.

HB 715, introduced by Representative Cooper (158), relating to endangering the welfare of a child in the first degree.

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 3rd day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

Correct House Journal, Thirty-second Day, Wednesday, March 2, 2005, Pages 448 through 450, by deleting House Amendment No. 1 in its entirety, and inserting in lieu thereof the following:

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, Page 1, In the Title, Line 6, by inserting after the word "provisions" the following:

", and an effective date for certain sections"; and

Further amend said bill, Page 6, Section 287.067, Lines 18 and 19, by deleting the phrase "**recognized as an occupational disease for the purposes of this chapter**"; and

Further amend said bill, Page 7, Section 287.067, Line 37, by inserting after the phrase "oxygen, **of**" the following:

"**paid**"; and

Further amend said bill, Page 7, Section 287.067, Line 37, by inserting at the end of said line the following:

"**paid**"; and

Further amend said bill, Page 7, Section 287.067, Line 46, by deleting "with a prior" and inserting in lieu thereof the following:

"with [a] **the immediate** prior"; and

Further amend said bill, Section 287.128, Pages 11-13, Lines 1-78, by deleting all of said section and inserting in lieu thereof the following:

"287.128. 1. It shall be unlawful for any person to [:

(1)] knowingly present or cause to be presented any false or fraudulent claim for the payment of benefits pursuant to a workers' compensation claim[;].

[(2)] 2. It shall be unlawful for any insurance company or self-insurer in this state to knowingly and intentionally refuse to comply with known and legally indisputable compensation obligations with intent to defraud.

3. It shall be unlawful for any person to:

(1) Knowingly present multiple claims for the same occurrence with intent to defraud;

[(3)] Purposefully prepare, make or subscribe to any writing with intent to present or use the same, or to allow it to be presented in support of any false or fraudulent claim;

(4)](2) Knowingly assist, abet, solicit or conspire with:

(a) Any person who knowingly presents any false or fraudulent claim for the payment of benefits;

(b) Any person who knowingly presents multiple claims for the same occurrence with an intent to defraud; or

(c) Any person who purposefully prepares, makes or subscribes to any writing with the intent to present or use the same, or to allow it to be presented in support of any such claim;

[(5)](3) Knowingly make or cause to be made any false or fraudulent claim for payment of a health care benefit;

[(6)](4) Knowingly submit a claim for a health care benefit which was not used by, or on behalf of, the claimant;

[(7)](5) Knowingly present multiple claims for payment of the same health care benefit with an intent to defraud;

~~[(8)](6)~~ Knowingly make or cause to be made any false or fraudulent material statement or material representation for the purpose of obtaining or denying any benefit;

~~[(9)](7)~~ Knowingly make or cause to be made any false or fraudulent statements with regard to entitlement to benefits with the intent to discourage an injured worker from making a legitimate claim;

(8) Knowingly make or cause to be made a false or fraudulent material statement to an investigator of the division in the course of the investigation of fraud or noncompliance. For the purposes of subdivisions **(6), (7), and (8)** [and 9] of this subsection, the term "statement" includes any notice, proof of injury, bill for services, payment for services, hospital or doctors records, X ray or test results.

[2. It shall be unlawful for any insurance company or self-insurer in this state to:

(1) Intentionally refuse to comply with known and legally indisputable compensation obligations;

(2) Discharge or administer compensation obligations in a dishonest manner; and

(3) Discharge or administer compensation obligations in such a manner as to cause injury to the public or those persons dealing with the employer or insurer.

3.] **4.** Any person violating any of the provisions of subsections 1 [and] **or 2** of this section [or section 287.129,] shall be guilty of a class [A misdemeanor and,] **D felony**. In addition, **the person** shall be liable to the state of Missouri for a fine [not to exceed] **up to** ten thousand dollars or double the value of the fraud whichever is greater. **Any person violating any of the provisions of subsection 3 of this section shall be guilty of a class A misdemeanor and the person shall be liable to the state of Missouri for a fine up to ten thousand dollars.** Any person who has previously pled guilty to or has been found guilty of violating any of the provisions of subsections 1, [and] **2 or 3** of this section [or the provisions of section 287.129] and who subsequently violates any of the provisions of subsections 1 [and], **2 or 3** of this section [or the provisions of section 287.129] shall be guilty of a class [D] **C felony**.

[4.] 5. It shall be unlawful for any person, company, or other entity to prepare or provide an invalid certificate of insurance as proof of workers' compensation insurance. Any person violating any of the provisions of this subsection shall be guilty of a class D felony and, in addition, shall be liable to the state of Missouri for a fine up to ten thousand dollars or double the value of the fraud, whichever is greater.

6. Any person who knowingly misrepresents any fact in order to obtain workers' compensation insurance at less than the proper rate for that insurance shall be guilty of a class A misdemeanor. Any person who has previously pled guilty to or has been found guilty of violating any of the provisions of this section [or the provisions of section 287.129] and who subsequently violates any of the provisions of this section [or the provisions of section 287.129] shall be guilty of a class D felony.

[5.] 7. Any employer [failing] **who knowingly fails** to insure his liability pursuant to this chapter **with intent to defraud** shall be guilty of a class A misdemeanor and, in addition, shall be liable to the state of Missouri for a penalty in an amount equal to twice the annual premium the employer would have paid had such employer been insured or twenty-five thousand dollars, whichever amount is greater. **After January 1, 2006**, any person who has previously pled guilty to or has been found guilty of violating any of the provisions of this section [or the provisions of section 287.129] and who subsequently violates any of the provisions of this section [or the provisions of section 287] shall be guilty of a class D felony.

[6.] 8. Any person may file a complaint alleging fraud or noncompliance with this chapter with a legal advisor in the division of workers' compensation. The legal advisor shall refer the complaint to the fraud and noncompliance unit within the division. The unit shall investigate all complaints and present any finding of fraud or noncompliance to the director, who may refer the file to the attorney general. The attorney general may prosecute any fraud or noncompliance associated with this chapter. All costs incurred by the attorney general associated with any investigation and prosecution pursuant to this subsection shall be paid out of the workers' compensation fund. Any fines or penalties levied and received as a result of any prosecution under this section shall be paid to the workers' compensation fund. Any restitution ordered as a part of the judgment shall be paid to the person or persons who were defrauded.

9. Any and all reports, records, tapes, photographs, and similar materials or documentation submitted by any person, including the department of insurance, to the fraud and noncompliance unit or otherwise obtained by the unit pursuant to this section, used to conduct an investigation for any violation under chapter 287, shall be considered confidential and not subject to the requirements of chapter 610, RSMo. Nothing in this subsection prohibits the fraud and noncompliance unit from releasing records used to conduct an investigation to the local, state, or federal law enforcement authority or federal or state agency conducting an investigation, upon written request.

[7.] 10. There is hereby established in the division of workers' compensation a fraud and noncompliance administrative unit responsible for investigating incidences of fraud and failure to comply with the provisions of this chapter.

11. Any prosecution for a violation of the provisions of this section or section 287.129 shall be commenced within three years after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense. As used in this subsection, the term "person who has a legal duty to represent an aggrieved party" shall mean the attorney general or the prosecuting attorney having jurisdiction to prosecute the action.

12. By January 1, 2006, the attorney general shall forward to the division and the members of the general assembly, the first edition of an annual report of the costs of prosecuting fraud and noncompliance under this chapter. The report shall include the number of cases filed with the attorney general by county by the fraud and noncompliance unit, the number of cases prosecuted by county by the attorney general and county prosecutor, fines and penalties levied and received, and all incidental costs."; and

Further amend said bill, Section 287.640, Page 32, Lines 1-22, by deleting all of said lines; and

Further amend said bill, Section 287.715, Page 35, Line 31, by deleting the word "ensuing" and inserting in lieu thereof the following:

"**following**"; and

Further amend said bill, Section 287.715, Page 35, Line 55, by deleting the word "**ensuing**" and inserting in lieu thereof the following:

"**following**"; and

Further amend said bill, Section 287.808, Page 37, Lines 5 to 8, by deleting all of said lines and inserting in lieu thereof the following:

"**is more likely to be true than not true.**"; and

Further amend said bill, Section 287.616, Page 45, Line 9, by inserting after all of said line the following:

"287.642. The division of workers' compensation shall create in each of its area offices a public information program to assist all parties involved with an injury or claim under this chapter. [In providing assistance under this section, all of the division's legal advisors shall also act as public information persons and shall, upon request, meet with or otherwise provide information to employees, employers, insurers and health care providers and shall investigate complaints of possible violations of the provisions of this chapter. The division shall employ two additional legal advisors, one to be located in the St. Louis office and one to be located in the Jefferson City office. Assistance provided under this section shall not include representing the claimant in a compensation hearing provided for in section 287.470.]

Section B. The repeal and reenactment of sections 287.615 and 287.612, and the repeal of section 287.616 of Section A of this act shall become effective on January 1, 2006."; and

Further amend said title, enacting clause and intersectional references accordingly.

Page 468, Line 27, by deleting "**HB 174**" and inserting in lieu thereof "**HCS HB 174**".

Page 468, Line 29, by deleting "**HB 215**" and inserting in lieu thereof "**HCS HB 215**".

Correct House Journal, Twenty-sixth Day, Monday, February 21, 2005, Page 367, Line 20, by inserting immediately after said line the following:

HOUSE CONCURRENT RESOLUTION NO. 15

WHEREAS, the United States has no integrated nationwide automated system for monitoring the safety history or violation records of Mexican companies and drivers, or a system to verify driver's licenses or drug testing for drivers, and it is therefore difficult for Missouri law enforcement personnel to obtain essential safety data; and

WHEREAS, if trucks from Mexico are allowed access to the State of Missouri, verification of foreign insurance policies and access to foreign judicial systems will be very difficult when accidents occur, possibly resulting in the delay of settlements and payments to the injured citizens of the State of Missouri; and

WHEREAS, Mexico does not have labeling of hazardous or toxic cargo which poses a clear and present danger to the security of the State of Missouri if trucks transporting such cargo enter territory of the state without prior inspection at the border of the United States; and

WHEREAS, large quantities of illegal drugs are smuggled into Missouri from foreign nations, including Mexico:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Governor of the State of Missouri, the President of the United States, and the members of the United States Congress to oppose any effort to allow trucks to enter the State of Missouri without first being inspected at the border of the United States and Mexico; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly memorializes the Missouri Congressional Delegation to restrict trucks from Mexico and other foreign nations from entering the United States until there is full compliance by the owners and drivers of those trucks with all highway safety, environmental, and drug enforcement laws; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Matt Blunt, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional Delegation.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 8, 2005, 12:00 p.m. Hearing Room 1.

Possible Executive session. AMENDED

Public hearings to be held on: HB 597, HB 369, HB 501, HB 528, HB 563, HB 588

Executive session will be held on: HB 367, HB 305, HB 368, HB 454

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, March 8, 2005, 8:00 a.m. Hearing Room 4.

Markup for Departments of Agriculture, Natural Resources and Conservation.

Hearing will continue upon afternoon adjournment if necessary.

Executive session may follow.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, March 8, 2005, 8:00 a.m. Hearing Room 7.

Fringe benefits, Statewide Elected Officials, Department of Revenue,

Office of Administration, Statewide Leasing, Judiciary,

Public Defender and General Assembly.

Executive session may follow.

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 236, HB 422, HB 446,

HB 453, HB 491, HB 531, HB 631

ELECTIONS

Tuesday, March 8, 2005, 6:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 316, HB 149

Executive session will be held on: HB 280, HB 255, HB 66, HB 525

ETHICS

Monday, March 7, 2005, House Chamber south side gallery upon afternoon adjournment.

Executive session may follow.

HIGHER EDUCATION

Tuesday, March 8, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearing to be held on: HB 440

LOCAL GOVERNMENT

Monday, March 7, 2005, Hearing Room 1 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 260, HB 395, HB 577, HB 485

LOCAL GOVERNMENT

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 450, HB 559, HB 176, HB 558, HB 480

SPECIAL COMMITTEE ON EDUCATION FUNDING

Monday, March 7, 2005, Hearing Room 6 upon afternoon adjournment.

Informational only. Report from Joint Committee.

SPECIAL COMMITTEE ON URBAN ISSUES

Monday, March 7, 2005, Hearing Room 7 upon evening adjournment. AMENDED

Public hearings to be held on: HB 564, HB 638

Executive session will be held on: HB 413, HB 508, HB 374, HB 286

VETERANS

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 294, HB 421, HB 522, HB 535, HB 581

WAYS AND MEANS

Monday, March 7, 2005, Hearing Room 3 upon evening adjournment.

Executive session will be held on: HB 209, HB 92

WAYS AND MEANS

Wednesday, March 9, 2005, 6:00 p.m. Hearing Room 5.

Executive session. Corrected Notice.

Public hearings to be held on: HB 321, HB 222, HB 416, HB 604

HOUSE CALENDAR

THIRTY-FOURTH DAY, MONDAY, MARCH 7, 2005

HOUSE BILLS FOR SECOND READING

HB 701 through HB 718

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Lager

HOUSE BILLS FOR PERFECTION

- | | | |
|----|--------------------------------------|-----------------------------------|
| 1 | HCS HB 365 - Munzlinger | |
| 2 | HB 100 - Cunningham (86) | (3 hours debate on Perfection) |
| 3 | HCS HB 186 - Emery | |
| 4 | HB 48 - Dougherty | (30 minutes debate on Perfection) |
| 5 | HCS#2 HB 94 & 185 - Cunningham (145) | |
| 6 | HB 114 - Johnson (47) | |
| 7 | HCS HB 119 - Jones | |
| 8 | HCS HB 174 - Wood | |
| 9 | HCS HB 215 - Pearce | |
| 10 | HCS HB 348 - Pearce | |

HOUSE BILLS FOR PERFECTION - CONSENT

(3/01/05)

- | | |
|---|---------------------------|
| 1 | HCS HB 135 - Richard |
| 2 | HB 229 - Portwood |
| 3 | HB 230 - Portwood |
| 4 | HCS HB 379 - Cooper (120) |

(3/02/05)

- | | |
|---|-----------------------|
| 1 | HB 40 - Tilley |
| 2 | HCS HB 56 - Threlkeld |
| 3 | HB 127 - Bivins |

(3/03/05)

- | | |
|---|------------------------------------|
| 1 | HCS HB 47 - Brown (30) |
| 2 | HCS HB 163, 213 & 216 - Smith (14) |
| 3 | HB 592 - Cooper (120) |

(3/07/05)

- 1 HB 269 - Bruns
- 2 HB 361 - Lipke
- 3 HCS HB 580 - Byrd

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Page 487) - Baker (123)

HOUSE RESOLUTION

HR 222, (2-17-05, Page 350) - Dixon

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTY-FOURTH DAY, MONDAY, MARCH 7, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we trust in You and through Your mercy we are not shaken. Be exalted, O Lord, in Your strength for we speak of Your praise and power.

You, O Lord, are not distant and offer help and assistance whenever we pray.

Although many may criticize and sneer at the decisions we make in this Chamber, we shamelessly seek to fulfill our due service to You, this state, and our constituents.

Help us to celebrate the splendor of changing seasons, the necessity of opposing views, and the liberty to speak our passions.

Grant us peace as we pray in the undying name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-third day was approved as printed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 110	Harris 23
Haywood	Henke	Hobbs	Hoskins	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark

Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bean	Bland	Bowman	Byrd	Dusenberg
El-Amin	Hubbard	Johnson 90	Page	Smith 118
Smith 14	Yaeger			

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 927
and
House Resolution No. 928 - Representative Jetton
House Resolution No. 929
and
House Resolution No. 930 - Representative Brown (30)
House Resolution No. 931
and
House Resolution No. 932 - Representative Munzlinger
House Resolution No. 933 - Representative Moore
House Resolution No. 934 - Representative Deeken
House Resolution No. 935 - Representative Nolte
House Resolution No. 936
through
House Resolution No. 1060 - Representatives Avery and Tilley
House Resolution No. 1061 - Representative Self
House Resolution No. 1062 - Representative Skaggs
House Resolution No. 1063
through
House Resolution No. 1065 - Representative Parson
House Resolution No. 1066
through
House Resolution No. 1078 - Representatives Bivins and Lembke
House Resolution No. 1079
through
House Resolution No. 1092 - Representative Bivins

House Resolution No. 1093
and
House Resolution No. 1094 - Representatives Johnson (61) and Cunningham (145)
House Resolution No. 1095 - Representative Johnson (61)
House Resolution No. 1096 - Representatives Bivins and Lembke
House Resolution No. 1097 - Representative Cooper (158)
House Resolution No. 1098 - Representative Sater
House Resolution No. 1099 - Representative Cooper (158)
House Resolution No. 1100 - Representative Low (39)
House Resolution No. 1101 - Representatives Roorda, Casey and Meadows
House Resolution No. 1102 - Representative Young
House Resolution No. 1103 - Representative Johnson (61)

SECOND READING OF HOUSE BILLS

HB 701 through **HB 718** were read the second time.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SBs 1 & 130, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SBs 1 & 130, as amended, relating to workers' compensation, was taken up by Representative Hunter.

Representative Hunter moved that the House refuse to recede from its position on **HCS SS SCS SBs 1 & 130, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SCS SBs 1 & 130: Representatives Cooper (120), Bearden, Hunter, Vogt and Lowe (44).

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 14** was adopted.

On motion of Representative Lager, **HCS HB 14** was ordered perfected and printed.

HOUSE RESOLUTION

HR 222, relating to Southwest Missouri State University Founders Day, was taken up by Representative Dixon.

On motion of Representative Dixon, **HR 222** was adopted.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 813 - Rules

HR 838 - Rules

HR 923 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 679 - Elementary and Secondary Education

HB 707 - Financial Institutions

HB 710 - Job Creation and Economic Development

COMMITTEE REPORTS

Special Committee on Urban Issues, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 413**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 564**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 638**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 58**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 243**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 397**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 423**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 431**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 567**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 719, introduced by Representative Byrd, relating to judicial procedures.

HB 720, introduced by Representative Byrd, relating to the chair of the salary commission.

HB 721, introduced by Representatives Flook, Skaggs, Nolte and Nance, relating to juvenile officer retirement.

HB 722, introduced by Representatives Wagner, Roorda and Meadows, relating to police relief and pension systems.

HB 723, introduced by Representatives Cooper (155), Schaaf, Threlkeld and Page, relating to joint negotiations of physicians.

HB 724, introduced by Representatives Smith (14), Page, Schaaf and Meiners, relating to insurance coverage for treatment of infertility.

HB 725, introduced by Representative Behnen, relating to professional licensing.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 3**.

SENATE CONCURRENT RESOLUTION NO. 3

WHEREAS, congenital heart defects are the most frequently occurring birth defect and the leading cause of birth defect related deaths worldwide; and

WHEREAS, more than one million families across America are facing the challenges and hardships of raising children with congenital heart defects; and

WHEREAS, each year 40,000 babies are born with congenital heart defects in the United States; and

WHEREAS, some congenital heart defects are not diagnosed until months or years after birth; and

WHEREAS, undiagnosed congenital heart conditions cause many cases of sudden cardiac death in young athletes; and

WHEREAS, despite these conditions, newborns and young athletes are not routinely screened for congenital heart defects; and

WHEREAS, Congenital Heart Defect Awareness Day provides an opportunity for families whose lives have been affected to celebrate life and to remember loved ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and

WHEREAS, the establishment of Congenital Heart Defect Awareness Day will also provide the opportunity to share experience and information with the public and the media in order to raise public awareness about congenital heart defects;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Senate, Ninety-third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize February 14th, as Congenital Heart Defect Awareness Day in Missouri.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 147**, entitled:

An act to repeal section 142.031, RSMo, and to enact in lieu thereof one new section relating to the Missouri qualified biodiesel producer incentive fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 177**, entitled:

An act to repeal section 105.712, RSMo, and to enact in lieu thereof one new section relating to dental care.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 210**, entitled:

An act to repeal sections 44.090, 50.530, 50.757, 55.160, 64.215, 64.940, 67.1775, 67.1850, 110.130, 110.150, 115.019, 137.115, 205.010, 210.860, 210.861, 233.295, 263.245, and 488.426, RSMo, section 137.130 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 701, ninetieth general assembly, first regular session, and section 137.130 as enacted by conference committee substitute for house substitute for house committee substitute for senate bill no. 827, eighty-ninth general assembly, second regular session, and section 488.429, RSMo, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill nos. 795, 972, 1128 & 1161, ninety-second general assembly, second regular session, and section 488.429, RSMo, as enacted by senate committee substitute for house committee substitute for house bill no. 798 merged with house committee substitute for senate bill no. 1211, ninety-second general assembly, second regular session, and to enact in lieu thereof twenty-seven new sections relating to county government.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 252**, entitled:

An act to amend chapter 41, RSMo, by adding thereto three new sections relating to the protection of military facilities and personnel, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 312**, entitled:

An act to repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to expanding the membership of the highways and transportation commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 342**, entitled:

An act to repeal section 559.607, RSMo, and to enact in lieu thereof one new section relating to probation services for municipal ordinance violations.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Bowman, Byrd, Page, Smith (14) and Smith (118).

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, March 8, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 8, 2005, 12:00 p.m. Hearing Room 1.

Possible Executive session. AMENDED

Public hearings to be held on: HB 597, HB 369, HB 501, HB 528, HB 563, HB 588

Executive session will be held on: HB 367, HB 305, HB 368, HB 454

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, March 8, 2005, 8:00 a.m. Hearing Room 4.

Markup for Departments of Agriculture, Natural Resources and Conservation.

Hearing will continue upon afternoon adjournment if necessary.

Executive session may follow.

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, March 8, 2005, 8:00 a.m. Hearing Room 7.

Fringe benefits, Statewide Elected Officials, Department of Revenue,

Office of Administration, Statewide Leasing, Judiciary, Public Defender and General Assembly.

Executive session may follow.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Tuesday, March 8, 2005, 4:00 p.m. Hearing Room 3.

Child Welfare - Division of Youth Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, March 9, 2005, 8:00 p.m. Hearing Room 3.

Executive session on committee recommendations.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 3.

Executive session on committee recommendations. Recess 10:00 a.m.

Thirty minutes after morning adjournment Executive session on committee recommendations.

CHILDREN AND FAMILIES

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 20, HB 568, HB 574, HB 586

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 236, HB 422, HB 446, HB 453, HB 491, HB 531, HB 631

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 8, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 537, HB 547, HB 332, HB 511, HB 684, HB 633

ELECTIONS

Tuesday, March 8, 2005, 6:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 316, HB 149

Executive session will be held on: HB 280, HB 255, HB 66, HB 525

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 3.

Public hearings to be held on: HCR 25, HB 473, HB 679

Executive session will be held on: HB 276, HCR 25, HB 473, HB 679, HB 539, HB 145

FINANCIAL INSTITUTIONS

Tuesday, March 8, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. CANCELLED

Public hearing to be held on: HB 647

HEALTH CARE POLICY

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 503, HB 603

HIGHER EDUCATION

Tuesday, March 8, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearing to be held on: HB 440

INSURANCE POLICY

Tuesday, March 8, 2005, 4:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 474, HB 496, HB 596, HB 654, HB 667

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 9, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 158, HB 629

JOINT COMMITTEE ON EDUCATION

Tuesday, March 8, 2005, 8:00 p.m. Senate Committee Room 2.

Formula recommendation. Overflow will be available in Senate Committee Room 1.

Executive session may or may not follow.

JUDICIARY

Tuesday, March 8, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 595, HB 578, HB 355, HB 362,
HB 628, HB 630, HB 678, HB 688

LOCAL GOVERNMENT

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow.

Public hearings to be held on: HB 450, HB 559, HB 176, HB 558, HB 480

TOURISM

Tuesday, March 8, 2005, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 515

TRANSPORTATION

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 1.

Executive session will follow.

Public hearings to be held on: HB 635, HB 375, HB 410, HB 487, HB 53, HB 618

UTILITIES

Wednesday, March 9, 2005, 12:00 p.m. Hearing Room 5.

Hearing to begin at noon or upon morning recess, whichever is later.

Executive session may occur. AMENDED

Public hearings to be held on: HB 553, HB 640

VETERANS

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 294, HB 421, HB 522, HB 535, HB 581

WAYS AND MEANS

Wednesday, March 9, 2005, 6:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 242, HB 222, HB 416, HB 604, HB 321

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Tuesday, March 8, 2005, House Chamber south side gallery upon afternoon adjournment.

Executive session will be held on: HB 148, HB 519

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 9, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 500, HB 533

HOUSE CALENDAR

THIRTY-FIFTH DAY, TUESDAY, MARCH 8, 2005

HOUSE BILLS FOR SECOND READING

HB 719 through HB 725

HOUSE BILLS FOR PERFECTION

- | | | |
|----|--------------------------------------|-----------------------------------|
| 1 | HCS HB 365 - Munzlinger | |
| 2 | HB 100 - Cunningham (86) | (3 hours debate on Perfection) |
| 3 | HCS HB 186 - Emery | |
| 4 | HB 48 - Dougherty | (30 minutes debate on Perfection) |
| 5 | HCS#2 HB 94 & 185 - Cunningham (145) | |
| 6 | HB 114 - Johnson (47) | |
| 7 | HCS HB 119 - Jones | |
| 8 | HCS HB 174 - Wood | |
| 9 | HCS HB 215 - Pearce | |
| 10 | HCS HB 348 - Pearce | |

HOUSE BILLS FOR PERFECTION - CONSENT

(3/01/05)

- | | |
|---|---------------------------|
| 1 | HCS HB 135 - Richard |
| 2 | HB 229 - Portwood |
| 3 | HB 230 - Portwood |
| 4 | HCS HB 379 - Cooper (120) |

(3/02/05)

- | | |
|---|-----------------------|
| 1 | HB 40 - Tilley |
| 2 | HCS HB 56 - Threlkeld |
| 3 | HB 127 - Bivins |

(3/03/05)

- | | |
|---|------------------------------------|
| 1 | HCS HB 47 - Brown (30) |
| 2 | HCS HB 163, 213 & 216 - Smith (14) |
| 3 | HB 592 - Cooper (120) |

(3/07/05)

- 1 HB 269 - Bruns
- 2 HB 361 - Lipke
- 3 HCS HB 580 - Byrd

(3/08/05)

- 1 HB 243 - May
- 2 HB 397 - Henke
- 3 HB 423 - Kuessner
- 4 HB 431 - Wright (137)
- 5 HB 567 - Stevenson

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 14 - Lager

SENATE BILLS FOR SECOND READING

- 1 SCS SB 147
- 2 SB 177
- 3 SS SCS SB 210
- 4 SCS SB 252
- 5 SCS SB 312
- 6 SB 342

BILL IN CONFERENCE

HCS SS SCS SB 1 & 130, as amended - Hunter

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTY-FIFTH DAY, TUESDAY, MARCH 8, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

Almighty God, Creator and Lord of all that is, You are the Creator of life; You are the Lord of life. We thank You for our own life, for the lives of our children and grandchildren, for the life of every member of our family. There is no price tag we could place on their lives. The life of each person receives its value from You. You alone are the Lord of life.

The topics we face in the agenda of each day affect the lives of the people we represent; some topics affect the very existence of the life of some. Holy God, this day bless us with the gift of right judgment and courage, that our deliberation, our communication, and our actions may remain anchored in the truth that You alone are Lord of life.

We pray to You, our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brianna Harmon, Joel Cox, Erin Scheiderer, Kelsey Fessler, Ryan Naylor, Gregory Batteast, Croix Sterling and Mariah Sterling.

Representative Behnen assumed the Chair.

The Journal of the thirty-fourth day was approved as corrected by the following vote:

AYES: 154

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe

Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Boykins	Brooks	Dusenberg	El-Amin
Hubbard	Johnson 90	Yaeger		

VACANCIES: 001

Speaker Jetton resumed the Chair.

SPECIAL RECOGNITION

Ms. Linda Eisinger, Teacher of the Year, West Elementary School, Jefferson City, Missouri, was introduced by Representative Deeken and recognized as an Outstanding Missourian.

Ms. Eisinger addressed the House.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 1104 - Representative Harris (23), et al.
- House Resolution No. 1105 - Representative Aull
- House Resolution No. 1106 - Representatives Burnett and Phillips
- House Resolution No. 1107 - Representative Jetton
- House Resolution No. 1108 through
- House Resolution No. 1110 - Representative Ervin
- House Resolution No. 1111 and
- House Resolution No. 1112 - Representative Nance

House Resolution No. 1113

and

House Resolution No. 1114 - Representative Harris (23), et al.

House Resolution No. 1115 - Representative Wallace

House Resolution No. 1116 - Representative Jones

SECOND READING OF HOUSE BILLS

HB 719 through **HB 725** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 147, SB 177, SS SCS SB 210, SCS SB 252, SCS SB 312 and **SB 342** were read the second time.

PERFECTION OF HOUSE BILLS

Representative Dempsey moved that **HCS HB 119** be recommitted to the Committee on Rules.

Which motion was adopted.

Representative Dempsey moved that **HCS HB 215** be recommitted to the Committee on Rules.

Which motion was adopted.

HCS#2 HBs 94 & 185, relating to scholarships for survivors of veterans, was taken up by Representative Cunningham (145).

Speaker Pro Tem Bearden assumed the Chair.

On motion of Representative Cunningham (145), **HCS#2 HBs 94 & 185** was adopted.

On motion of Representative Cunningham (145), **HCS#2 HBs 94 & 185** was ordered perfected and printed.

HCS HB 365, relating to county sheriff's revolving funds, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HCS HB 365** was adopted.

On motion of Representative Munzlinger, **HCS HB 365** was ordered perfected and printed.

HB 100, relating to abortion regulations, was taken up by Representative Cunningham (86).

Representative Stevenson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 100, Section 188.080, Page 2, Line 4, on said page by striking out the words "**class B felony**" and inserting in lieu thereof the following:

"class A misdemeanor"; and

Further amend said bill, Page 2, Section 188.080, Line 8, by striking out the words " **class B felony**" and inserting in lieu thereof the following:

"class A misdemeanor"; and

Further amend said bill, Page 2, Section 188.080, Line 6, by striking out the words "**to provide obstetrical and gynecological care**"; and

Further amend said bill, Page 3, Line 12, by striking out the word " *under*" and inserting in lieu thereof the following words "**pursuant to**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 1** was adopted.

Representative Rector offered **House Amendment No. 2.**

Representative Goodman raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Sander offered **House Amendment No. 3.**

Representative Fraser raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HB 100, as amended, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Andrew Robinson, Elizabeth Van Wagner and Megan Albin.

HOUSE RESOLUTION

Representative Wright (137) offered House Resolution No. 1117.

HOUSE CONCURRENT RESOLUTION

Representative Wright (137) offered House Concurrent Resolution No. 26.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1118 - Representative Schad

House Resolution No. 1119 - Representative Moore

House Resolution No. 1120 - Representative Swinger

House Resolution No. 1121

and

House Resolution No. 1122 - Representative Jetton

House Resolution No. 1123 - Representative Donnelly

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 14** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch

Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Boykins	Dusenberg	El-Amin	Hubbard
Johnson 90	LeVota	Schneider	Wright-Jones	Wright 137
Yaeger				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HB 100, as amended, relating to abortion regulations, was again taken up by Representative Cunningham (86).

Representative Johnson (47) offered **House Amendment No. 4**.

Representative Yates raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Low (39) offered **House Amendment No. 5**.

Representative Yates raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Harris (110) offered **House Amendment No. 6**.

Representative Johnson (47) raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Harris (110) offered **House Amendment No. 7**.

Representative Goodman raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Lampe offered **House Amendment No. 8**.

Representative Yates raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Cunningham (86), **HB 100, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1117 - Administration and Accounts

COMMITTEE REPORTS

Committee on Ethics, Chairman Dempsey reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **Cape Girardeau County and Friends Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo**.

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Nathan D. Cooper

RE: Cape Girardeau County and Friends Caucus

DATE: February 8, 2005

Pursuant to Section 105.473.3(2)(c)d, RSMo, 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives Cape Girardeau County and Friends Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me at 751-1443 if you have any questions concerning this caucus.

Representative	District
/s/ Lanie G. Black, III	161
/s/ Nathan Cooper	158
/s/ Scott Lipke	157
/s/ Peter Myers	160
/s/ Billy Pat Wright	159
/s/ Terry Swinger	162
/s/ Charles Portwood	92
/s/ Don Wells	147
/s/ Mike McGhee	122

Senator	District
/s/ Jason Crowell	27

Mr. Speaker: Your Committee on Ethics, to which was referred the **Democrats of Faith Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Beth Low

DATE: February 1, 2005

RE: Democrats of Faith Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of members of the 93rd General Assembly's House of Representatives Democrats of Faith Caucus is attached.

I respectfully request that the committee approve this caucus and recognize it as a duly filed and approved caucus of the Missouri General Assembly.

I will serve as the designated member to present this request to the committee. You may contact me at 751-4485 if you have any questions.

Representative	District
/s/ Jeff Harris	23
/s/ Beth Low	39
/s/ J.C. Kuessner	152
/s/ Jeanette Mott Oxford	59
/s/ Ron Casey	103
/s/ Jonas Hughes	42
/s/ Patricia M. Yaeger	96
/s/ Paul LeVota	52
/s/ Belinda Harris	110
/s/ Rodney Hubbard	58
/s/ Barbara Fraser	83
/s/ Rachel Storch	64
/s/ Martin T. Rucker	29
/s/ Judy Baker	25
/s/ Sara Lampe	138
/s/ Yaphett El-Amin	57

/s/ Trent Skaggs	31
/s/ Sue Schoemehl	100
/s/ Frank A. Barnitz	150
/s/ Gina Walsh	69
/s/ Terry L. Witte	10

Senator	District
Charles Wheeler	10
Rita Heard Days	14

Mr. Speaker: Your Committee on Ethics, to which was referred the **Friends of Central Missouri State University (CMSU) Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

February 1, 2005

The Honorable Tom Dempsey, Chair
House Ethics Committee
Missouri House of Representatives
Jefferson City, MO 65101

Dear Chairman Dempsey:

Please accept the request of the undersigned senators and representatives to reorganize the Friends of Central Missouri State University (CMSU) Caucus. This caucus will consist of the elected members of the General Assembly who are alumni and/or represent districts within the 21-county catchment area.

Representative	District
/s/ Paul LeVota	52
/s/ Kathlyn Fares	91
/s/ Mike Sutherland	99
/s/ Brian Baker	123
/s/ Will Kraus	48
/s/ Joe Aull	26
/s/ Gina Walsh	69
/s/ Todd Smith	118
/s/ Robert Thane Johnson	47
/s/ Kate Meiners	46
/s/ Mike McGhee	122
/s/ Ray Weter	142
/s/ Gary Dusenberger	54
/s/ David Pearce	121
/s/ Mark Bruns	113
/s/ Shannon Cooper	120
/s/ Maynard Wallace	143
/s/ Brian Yates	56
/s/ Bryan Pratt	55
/s/ Jeneé Lowe	44
/s/ John Quinn	7
/s/ Scott Rupp	13
/s/ Brian Munzlinger	1
/s/ Craig Bland	43
/s/ Trent Skaggs	31

/s/ John Burnett	40
/s/ Michael Brown	50
/s/ Barney Fisher	125
/s/ Rodney Schad	115
/s/ Beth Low	39
/s/ Terry Young	49
/s/ Rex Rector	124
/s/ Timothy Flook	34
/s/ Jerry Nolte	33
/s/ Curt Dougherty	53

Sincerely,

/s/ David Pearce
District 121

Mr. Speaker: Your Committee on Ethics, to which was referred **additions to Healthy Missourians Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey

FROM: Representative Judy Baker

DATE: March 7, 2005

SUBJECT: Healthy Missourians Caucus

Please add Representative Kevin Threlkeld and Representative Craig Bland to the Healthy Missourians Caucus.

Thank you.

Representative	District
/s/ Craig Bland	43
/s/ Kevin Threlkeld	109

Mr. Speaker: Your Committee on Ethics, to which was referred the **Legislative Study Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: The Honorable Tom Dempsey, Chairman

FROM: Rep. Barbara Fraser

RE: Legislative Study Caucus

DATE: February 10, 2005

Pursuant to Section 105.473.3(2)(c)d, RSMo. 1988 and the rules of the Missouri House of Representatives a listing of members of the 93rd General Assembly's Legislative Study Caucus.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

Representative	District
/s/ Jeanette Oxford	59
/s/ Maria Chappelle-Nadal	72
/s/ Judy Baker	25
/s/ Robert Johnson	47
/s/ Margaret Donnelly	73
/s/ Clint Zweifel	78
/s/ John L. Bowman	70
/s/ Beth Low	39
/s/ Jeneé Lowe	44
/s/ Trent Skaggs	31
/s/ Rachel Storch	64
/s/ Theodore Hoskins	80
/s/ Cathy Jolly	45
/s/ Sam Page	82
/s/ R.W. Jones	63
/s/ Esther Haywood	71
/s/ Sharon Sanders Brooks	37
/s/ Amber Boykins	60
/s/ Craig Bland	43
/s/ Juanita Walton	81
/s/ Sara Lampe	138
/s/ Rodney R. Hubbard	59

Mr. Speaker: Your Committee on Ethics, to which was referred the **Missouri Forest Products Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

DATE: February 9, 2005

TO: Representative Tom Dempsey
Chairman
House Ethics Committee

FROM: Representative Mike Dethrow
District 153

SUBJECT: Missouri Forest Products Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo 2000 and the rules of the Missouri House of Representatives, a listing of members of the 93rd General Assembly's House of Representatives Missouri Forest Products Caucus is attached.

Please consider this memorandum a formal application to the House Ethics Committee to approve this Caucus to be recognized as a duly filed and approved Caucus of the General Assembly.

Representative	District
/s/ Brian Munzlinger	1
/s/ Jim Whorton	3
/s/ Jim Guest	5
/s/ Rachel Bringer	6
/s/ John Quinn	7
/s/ Wes Shoemyer	9
/s/ Terry L. Witte	10

/s/ Wayne Henke	11
/s/ Steve Hobbs	21
/s/ Therese Sander	22
/s/ Ed Wildberger	27
/s/ Will Kraus	48
/s/ Curt Dougherty	53
/s/ Dennis F. Wood	62
/s/ Fred Kratky	65
/s/ Kathlyn Fares	91
/s/ Brian D. Nieves	98
/s/ Mike Sutherland	99
/s/ Belinda Harris	110
/s/ Charlie Schlottach	111
/s/ Todd Smith	118
/s/ Larry D. Wilson	119
/s/ Shannon Cooper	120
/s/ David Pearce	121
/s/ Ed Emery	126
/s/ Steve Hunter	127
/s/ Ron Richard	129
/s/ Jim Viebrock	134
/s/ Mark Wright	137
/s/ Jay Wasson	141
/s/ Maynard Wallace	143
/s/ Mike Cunningham	145
/s/ Darrell Pollock	146
/s/ David A. Day	148
/s/ Bob May	149
/s/ Frank A. Barnitz	150
/s/ Ward Franz	151
/s/ J.C. Kuessner	152
/s/ Mike Dethrow	153
/s/ Gayle Kingery	154
/s/ Scott A. Lipke	157
/s/ Peter Myers	160
/s/ Terry Swinger	162
/s/ Otto Bean, Jr.	163
/s/ Bill Deeken	114

Mr. Speaker: Your Committee on Ethics, to which was referred the **Missouri Sportsmen's Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Jason Brown

DATE: March 3, 2005

RE: Missouri Sportsmen's Caucus

Pursuant to Section 105.473.3(2)(c)d RSMo, 2000 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's House of Representatives Sportsmen's Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this Caucus to be recognized as a duly filed and approved caucus of the General Assembly.

Representative	District
/s/ Jason R. Brown	30
/s/ Lanie G. Black	161
/s/ Jim Guest	5
/s/ Barney Fisher	125
/s/ Belinda Harris	110
/s/ Gayle Kingery	154
/s/ Frank A. Barnitz	150
/s/ J.C. Kuessner	152
/s/ Steve Hobbs	21
/s/ Wes Shoemyer	9
/s/ Bob Behnen	2
/s/ Brian Munzlinger	1
/s/ Ed Emery	126
/s/ Susan Phillips	32
/s/ Mark Bruns	113
/s/ Joe Smith	14
/s/ Tom Dempsey	18
/s/ Dennis Wood	62
/s/ John Quinn	7
/s/ Kevin Wilson	130
/s/ Jack Jackson	89
/s/ Mike Sutherland	99
/s/ Kathlyn Fares	91
/s/ Tom George	74
/s/ Beth Low	39
/s/ Bruce Darrough	75
/s/ Michael G. Corcoran	77
/s/ Michael Spreng	76
/s/ Curt Dougherty	53
/s/ Wes Wagner	104
/s/ Doug Ervin	35
/s/ Terry Swinger	162
/s/ David Sater	68
/s/ Will Kraus	48
/s/ Mike Dethrow	153
/s/ Bob Dixon	140
/s/ Walt Bivins	97
/s/ Steve Hunter	127
/s/ Therese Sander	22
/s/ Charlie Schlottach	111
/s/ Carl Bearden	16
/s/ Jodi Stefanick	93
/s/ Marilyn Ruestman	131
/s/ Brian Nieves	98
/s/ Tom Self	116
/s/ Shannon Cooper	120
/s/ Peter Myers	160
/s/ Ed Wildberger	27
/s/ Patricia Yaeger	96
/s/ Albert Liese	79
/s/ Vicki Schneider	17

/s/ Jack Goodman	132
/s/ Jim Whorton	3
/s/ Mike Cunningham	145
/s/ Ron Richard	129
/s/ Jay Wasson	141
/s/ Rachel Bringer	6
/s/ Don Wells	147
/s/ Larry Wilson	119
/s/ Ward Franz	151
/s/ Todd Smith	118
/s/ Darrell Pollock	146
/s/ David Pearce	121
/s/ Allen Icet	84
/s/ Rodney Schad	115
/s/ Mike Parson	133
/s/ Maynard Wallace	143
/s/ Kenny Jones	117
/s/ Kathy L. Chinn	8
/s/ Charles Portwood	92
/s/ Otto Bean, Jr.	163
/s/ James W. Lembke	85
/s/ Brad Roark	139
/s/ Tim Flook	34
/s/ Bryan Pratt	55
/s/ Bob Nance	36
/s/ Mike McGhee	122
/s/ Ed Robb	24
/s/ Brian Baker	123
/s/ Bob May	149
/s/ Kevin Threlkeld	109
/s/ Ray Weter	142
/s/ Gary Dusenberg	54
/s/ Sally A. Faith	15
/s/ Rex Rector	124
/s/ Billy Pat Wright	159
/s/ Rod Jetton	156
/s/ Terry L. Witte	10
/s/ Sara Lampe	138
/s/ Harold Selby	105
/s/ Jeff Harris	23
/s/ Paul LeVota	52
/s/ Gina Walsh	69
/s/ Leonard Hughes	42
/s/ Kate Meiners	46
/s/ Trent Skaggs	31
/s/ Ray Salva	51
/s/ Fred Kratky	65

Senator	District
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/s/ John Cauthorn	18
/s/ Victor Callahan	11
/s/ John Loudon	7
/s/ Chuck Purgason	33
/s/ Harry Kennedy	1
/s/ Chuck Gross	23

/s/ Bill Stouffer	21
/s/ Charles Wheeler	10
/s/ Chuck Graham	19
/s/ Dan Clemens	20
/s/ Delbert Scott	28
/s/ Gary Nodler	32
/s/ John Griesheimer	26
/s/ Jon Dolan	2
/s/ Larry Taylor	29
/s/ Rob Mayer	25

Mr. Speaker: Your Committee on Ethics, to which was referred **additions to the Sanctity of Life Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Rep. Tom Dempsey
FROM: Rep. Ed Emery
DATE: February 17, 2005
RE: Addition to Sanctity of Life Caucus

Please add the name of Representative Bob Nance to the list for the Sanctity of Life Caucus. Thank you.

/s/ Bob Nance
District 36

Mr. Speaker: Your Committee on Ethics, to which was referred the **Women's Democratic Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee
FROM: Representative Beth Low
DATE: February 8, 2005
RE: Women's Democratic Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's Women's Democratic Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me if you have any questions concerning this caucus.

Representative	District
/s/ Rachel Bringer	6
/s/ Judy Baker	25

/s/ Sharon Sanders Brooks	37
/s/ Beth Low	39
/s/ Melba J. Curls	41
/s/ Jeneé Lowe	44
/s/ Cathy Jolly	45
/s/ Kate Meiners	46
/s/ Terry Young	49
/s/ Yaphett El-Amin	57
/s/ Jeanette Mott Oxford	59
/s/ Amber Boykins	60
/s/ Connie Johnson	61
/s/ R.W. Jones	63
/s/ Rachel Storch	64
/s/ Gina Walsh	69
/s/ Esther Haywood	71
/s/ Maria Chappelle-Nadal	72
/s/ Margaret Donnelly	73
/s/ Juanita Head Walton	81
/s/ Barbara Wall Fraser	83
/s/ Patricia M. Yaeger	96
/s/ Sue Schoemehl	100
/s/ Belinda Harris	110
/s/ Sara Lampe	138

Senator	District
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/s/ Maida J. Coleman	5
/s/ Yvonne S. Wilson	9
/s/ Rita Heard Days	14
/s/ Joan Bray	24

Mr. Speaker: Your Committee on Ethics to which was referred the **Women's Legislative Caucus** begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Beth Low

DATE: February 8, 2005

RE: Women's Legislative Caucus

Pursuant to Section 105.473.3(2)(c)d, RSMo, 1998 and the rules of the Missouri House of Representatives, a listing of the members of the 93rd General Assembly's Women's Caucus is attached.

Please consider this letter a formal application to the Committee on Ethics to approve this caucus to be recognized as a duly filed and approved caucus of the General Assembly.

I will serve as the designated member to present this request to the Committee. Please contact me if you have any questions concerning this caucus.

Representative **District**

/s/ Rachel Bringer	6
/s/ Sharon Sanders Brooks	37
/s/ Melba J. Curls	41
/s/ Cathy Jolly	45
/s/ Terry Young	49
/s/ Jeanette Mott Oxford	59
/s/ Connie Johnson	61
/s/ Rachel Storch	64
/s/ Esther Haywood	71
/s/ Margaret Donnelly	73
/s/ Judy Baker	25
/s/ Beth Low	39
/s/ Jeneé Lowe	44
/s/ Kate Meiners	46
/s/ Yaphett El-Amin	57
/s/ R.W. Jones	63
/s/ Gina Walsh	69
/s/ Maria Chappelle-Nadal	72
/s/ Juanita Head Walton	81
/s/ Barbara Wall Fraser	83
/s/ Sue Schoemehl	100
/s/ Sara Lampe	138
/s/ Sally A. Faith	15
/s/ Danie Moore	20
/s/ Marilyn Ruestman	131
/s/ Patricia M. Yaeger	96
/s/ Belinda Harris	110
/s/ Kathy L. Chinn	8
/s/ Cynthia L. Davis	19
/s/ Kathlyn Fares	91
/s/ Susan C. Phillips	32
/s/ Therese Sander	22

Senator **District**

/s/ Maida J. Coleman	5
/s/ Rita Heard Days	14
/s/ Yvonne S. Wilson	9
/s/ Joan Bray	24

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 456**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 678**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 688**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 343**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

House Committee Amendment No. 1

AMEND House Bill No. 343, Section 50.530, Page 1, Line 10, by inserting the following after "inhabitants":

", in any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 345**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 445**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 479**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 402**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Ervin reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 576**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 508**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Tourism, Chairman Marsh reporting:

Mr. Speaker: Your Committee on Tourism, to which was referred **HB 515**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 135, HB 229, HB 230 and HCS HB 379.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 726, introduced by Representative Jackson, relating to excursion gambling boats.

HB 727, introduced by Representative Yates, relating to advertisements by automobile dealers.

HB 728, introduced by Representative Dempsey, relating to campaign finance reports.

HB 729, introduced by Representatives Wasson, Tilley, Richard and Sater, relating to the practice of pharmacy.

HB 730, introduced by Representative Bringer, relating to nursing home districts.

HB 731, introduced by Representatives Villa, Kratky, Wright-Jones and Vogt, relating to filing fees for elections.

HB 732, introduced by Representatives Parson, Wilson (119), Wallace, Jones, Loehner, Sater, Aull, Pollock, Portwood, Cunningham (145), Roark, Munzlinger, Smith (118), Lampe, Wells, Swinger, Storch, Low (39) and Tilley, relating to local tax collection.

HB 733, introduced by Representative Lager, relating to the establishment of the Missouri health care stabilization fund.

HB 734, introduced by Representative Lembke, relating to tax increment financing.

HB 735, introduced by Representatives Phillips and Byrd, relating to child immunizations.

HB 736, introduced by Representatives Bringer, Chappelle-Nadal, Baker (25), Rucker, Bland, Donnelly, Barnitz, Witte, Swinger, Young, Kratky, Harris (23), Burnett, Spreng, Liese, Jolly, Fraser, Daus, Villa, Johnson (61), Sanders Brooks, Robinson, Shoemyer, Henke, Kuessner, Corcoran, Wildberger, Oxford, Roorda, Aull, Lampe, Curls, Storch, Low (39), Page, Zweifel, Dougherty,

Bowman, Vogt, Selby, Meadows, Schoemehl, Hughes and Harris (110), relating to medical assistance.

HB 737, introduced by Representative Smith (118), relating to consolidation of tax collection.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SCS SBs 1 & 130, as amended**: Senators Loudon, Gibbons, Crowell, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 173**, entitled:

An act to repeal section 178.930, RSMo, and to enact in lieu thereof one new section relating to sheltered workshop payments.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 179**, entitled:

An act to amend chapter 386, RSMo, by adding thereto one new section relating to cost recovery for utility companies.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

To: Stephen S. Davis

From: Bob Nance

Date: March 8, 2005

Re: CONFLICT OF INTEREST - Excelsior Springs, MO Museum Tax

Pursuant to Chapter 105.452 to 105.461, RSMo. This memo is an official report that I have a vested interest in Senate Bill No. 361. This bill would give the local hospital potential to collect more property tax on the levy.

My wife is CEO of Excelsior Springs Medical Center which could benefit from an increase in tax levy.

In order to comply with Chapter 105.452 to 105.461, RSMo., please publish this report in the Journal of the House.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, March 9, 2005.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-fourth Day, Monday, March 7, 2005, Page 496, Line 15, by deleting the words, “Do Pass” and inserting in lieu thereof the words, “Do Pass by Consent”.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 219, HR 1117

AGRICULTURE POLICY

Wednesday, March 9, 2005, 6:00 p.m. House Chamber south side gallery. AMENDED

Executive session will be held on: HB 563, HB 588, HB 528

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, March 9, 2005, 5:00 p.m. Hearing Room 3.

Executive session on committee recommendations. AMENDED

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 3.

Executive session on committee recommendations. Recess 10:00 a.m.

Thirty minutes after morning adjournment Executive session on committee recommendations.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, March 9, 2005, House Chamber south side gallery upon afternoon adjournment.

Discuss flexibility language for Departments of Transportation, Economic Development, Insurance, Labor and Industrial Development. Executive session.

CHILDREN AND FAMILIES

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 20, HB 568, HB 574, HB 586

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 9, 2005, 6:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 660, HB 455, HB 497, HB 617

CONSERVATION AND NATURAL RESOURCES

Thursday, March 10, 2005, 12:30 p.m. House Chamber south side gallery.

Possible Executive session.

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 236, HB 422, HB 446, HB 453, HB 491, HB 531, HB 631

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 3.

Public hearings to be held on: HCR 25, HB 473, HB 679

Executive session will be held on: HB 276, HCR 25, HB 473, HB 679, HB 539, HB 145

HEALTH CARE POLICY

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 503, HB 603

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 9, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 158, HB 629, HB 710

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 10, 2005, Thirty minutes after adjournment of both Houses.

Senate Committee Room 2.

Executive session may or may not follow.

13 CSR 70-10.015, Department of Social Services, Medical Services, Nursing Home Program,

13 CSR 70-10.080, Department of Social Services, Medical Services, Nursing Home Program.

LOCAL GOVERNMENT

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow. AMENDED

Public hearings to be held on: HB 450, HB 559, HB 176, HB 558, HB 480, HB 180

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 9, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 598, HB 600, HB 662, HB 665

Executive session may be held on: HB 600

RETIREMENT

Wednesday, March 9, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 458, HB 602, HB 606, HB 609, HB 610

RULES

Wednesday, March 9, 2005, 9:15 a.m. House Lounge.

Executive session and possible reconsideration of bills may follow.

Public hearings to be held on: HR 741, HR 813, HR 838, HR 923, HB 376,

HB 524, HB 413, HB 412, HB 564, HB 638, HCS HB 437, HCS HB 208

RULES

Wednesday, March 9, 2005, House Chamber south side gallery upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 343, HB 345, HB 445, HB 479

SENIOR CITIZEN ADVOCACY

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 649, HB 656, HB 681

SMALL BUSINESS

Wednesday, March 9, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 372, HB 387, HB 512, HJR 13

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, March 9, 2005, Hearing Room 6 upon evening adjournment. AMENDED

Executive session will be held on: HB 639, HB 286

TRANSPORTATION

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 1.

Executive session will follow.

Public hearings to be held on: HB 635, HB 375, HB 410, HB 487, HB 53, HB 618

UTILITIES

Wednesday, March 9, 2005, 12:00 p.m. Hearing Room 5.

Hearing to begin at noon or upon morning recess, whichever is later.

Executive session may occur. AMENDED

Public hearings to be held on: HB 553, HB 640

VETERANS

Wednesday, March 9, 2005, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 294, HB 421, HB 522, HB 535, HB 581

WAYS AND MEANS

Wednesday, March 9, 2005, 6:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 242, HB 222, HB 416, HB 604, HB 321

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 9, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 500, HB 533

HOUSE CALENDAR

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 9, 2005

HOUSE BILLS FOR SECOND READING

HB 726 through HB 737

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 186 - Emery
- 2 HB 48 - Dougherty (30 minutes debate on Perfection)
- 3 HB 114 - Johnson (47)
- 4 HCS HB 174 - Wood
- 5 HCS HB 348 - Pearce

HOUSE BILLS FOR PERFECTION - CONSENT

(3/02/05)

- 1 HB 40 - Tilley
- 2 HCS HB 56 - Threlkeld
- 3 HB 127 - Bivins

(3/03/05)

- 1 HCS HB 47 - Brown (30)
- 2 HCS HB 163, 213 & 216 - Smith (14)
- 3 HB 592 - Cooper (120)

(3/07/05)

- 1 HB 269 - Bruns
- 2 HB 361 - Lipke
- 3 HCS HB 580 - Byrd

(3/08/05)

- 1 HB 243 - May
- 2 HB 397 - Henke
- 3 HB 423 - Kuessner
- 4 HB 431 - Wright (137)
- 5 HB 567 - Stevenson

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 135 - Richard
- 2 HB 229 - Portwood
- 3 HB 230 - Portwood
- 4 HCS HB 379 - Cooper (120)

SENATE BILLS FOR SECOND READING

- 1 SB 173
- 2 SS SCS SB 179

BILL IN CONFERENCE

HCS SS SCS SB 1 & 130, as amended - Hunter

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTY-SIXTH DAY, WEDNESDAY, MARCH 9, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, Your Word declares, "the Earth is the Lord's and all it contains. You have founded it upon the seas and established it upon the rivers." Who can stand before Your greatness and defy Your goodness?

May our actions be without fault, our attitude and motives pure, our pursuits without deception and our words without hypocrisy.

Lead us in truth, instruct us in Your ways and pardon our missteps.

May we follow after humility, justice and truth as we continue the path to a successful and profitable session.

Now may the grace of our Lord rest and abide with each of us throughout this day.

In the exulted name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christina Moseley, Jocyelynn Straw, Robert Owen, Tiffany Daniels, Axton Harding, Charity Franklin, Daniel Sanders, Kiley Williams, Ashley Kanak, Cheyenne Wilson, Isaac Dunigan and Jessica Marie Smith.

The Journal of the thirty-fifth day was approved as printed.

SPECIAL RECOGNITION

Athletes and administrators from Hickman High School, Columbia, Missouri, were introduced by Representative Harris (23). The Hickman Kewpies Football Team was recognized for attaining the 2004 Class 6A State Championship; Tim Cornell was recognized as Class 4A Individual Cross Country State Champion; and Tony Pescalgia was recognized as Class 4A State Wrestling Champion.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1124 - Representative Cooper (158)
 House Resolution No. 1125
 and
 House Resolution No. 1126 - Representatives Harris (110) and Kuessner
 House Resolution No. 1127 - Representative Liese
 House Resolution No. 1128 - Representative Cooper (158)
 House Resolution No. 1129 - Representative Jones

SECOND READING OF HOUSE BILLS

HB 726 through **HB 737** were read the second time.

SECOND READING OF SENATE BILLS

SB 173 and **SS SCS SB 179** were read the second time.

THIRD READING OF HOUSE BILL - CONSENT

HCS HB 135, relating to business use incentives, was taken up by Representative Richard.

On motion of Representative Richard, **HCS HB 135** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hughes	Hunter
Icet	Jackson	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland

Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Darrough

PRESENT: 002

Brooks Johnson 61

ABSENT WITH LEAVE: 008

Bean	Bowman	Boykins	Dusenberg	El-Amin
Hubbard	Johnson 90	Yaeger		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 186, relating to transient guest tax and food sales tax, was taken up by Representative Emery.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 186, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To amend chapters 67 and 94, RSMo, by adding thereto two new sections relating to local taxes, with an emergency clause for a certain section."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Chapters 67 and 94, RSMo, are amended by adding thereto two new sections, to be known as sections 67.1305 and 94.838, to read as follows:

67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.
2. In lieu of the sales taxes authorized under sections 67.1100 and 67.1303. The governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city

or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall Be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects;

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(1) The economic development tax board established by a city and shall consist of five members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(b) Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member shall be appointed by the governing body of the county in which the city is located.

(2) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including, but not limited to a tax

increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

- (1) A statement of its primary economic development goals;
- (2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;
- (3) A statement of total expenditures during the preceding calendar year in each of the following categories:
 - (a) Infrastructure improvements;
 - (b) Land and or buildings;
 - (c) Machinery and equipment;
 - (d) Job training investments;
 - (e) Direct business incentives;
 - (f) Marketing;
 - (g) Administration and legal expenses; and
 - (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said bill, Page 3, Section B, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because immediate action is necessary to provide funding for necessary infrastructure, the enactment of section 94.838 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution,

and the enactment of section 94.838 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Jetton offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 186, Page 3, Section 94.838, Line 80, by inserting after all of said line the following:

"Section 1. 1. Any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants may impose a sales tax throughout the county for public recreational projects and programs, but the sales tax authorized by this section shall not become effective unless the governing body of such county submits to the qualified voters of the county a proposal to authorize the county to impose the sales tax.

2. The ballot submission shall be in substantially the following form:

Shall the County of impose a sales tax of up to one percent for the purpose of funding the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

3. If approved by a majority of qualified voters in the county, the governing body of the county shall appoint a board of directors consisting of nine members. Of the initial members appointed to the board, three members shall be appointed for a term of three years, three members shall be appointed for a term of two years, and three members shall be appointed for a term of one year. After the initial appointments, board members shall be appointed to three-year terms.

4. The sales tax may be imposed at a rate of up to one percent on the receipts from the retail sale of all tangible personal property or taxable service within the county, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525, RSMo.

5. All revenue collected from the sales tax under this section by the director of revenue on behalf of a county, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Trust Fund". Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of such county and the general public. Not later than the tenth day of each calendar month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding calendar month by distributing to the county treasurer, or such officer as may be designated by county ordinance or order, of each county imposing the tax under this section the sum due the county as certified by the director of revenue.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the director of revenue may order retention in the trust fund for a period of one year of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in a county, the director of revenue shall remit the balance in the account to the county and close the account of such county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due such county.

7. The tax authorized under this section may be imposed in accordance with this section by a county in addition to or in lieu of the tax authorized in sections 67.750 to 67.780, RSMo.

8. The sales tax imposed under this section shall expire twenty years from the effective date thereof unless an extension of the tax is submitted to and approved by the qualified voters in the county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The provisions of this section shall not in any way affect or limit the powers granted to any county to establish, maintain, and conduct parks and other recreational grounds for public recreation.

10. Except as modified in this section, the provisions of section 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Jetton, **House Amendment No. 2** was adopted.

Representative Dougherty offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 186, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal section 144.518, RSMo, and to enact in lieu thereof three new sections relating to local taxes, with an emergency clause for a certain section."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 144.518, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 82.850, 94.838, and 144.518, to read as follows:

82.850. 1. As used in this section, the following terms mean:

- (1) "Food", all products commonly used for meals or drinks, including alcoholic beverages;
- (2) "Food establishment", any café, cafeteria, lunchroom, or restaurant which sells meals or drinks to the public;
- (3) "Gross receipts", the gross receipts from sales of meals or drinks prepared on the premises and delivered to the purchaser (excluding sales tax);
- (4) "Museum", any museum dedicated to the preservation of the history of the westward expansion movement of the United States by covered wagon, train, water, or similar means of transportation, and which is or was owned by this state on the effective date of the tax authorized in this section, and which is operated by the city or any other person;
- (5) "Person", any individual, corporation, partnership, or other entity;
- (6) "Tourism-related activities", those activities commonly associated with the development, promotion, and operation of tourism and related facilities for the city, including historic preservation.

2. The city council of any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants may impose a tax on the gross receipts derived from the amount of sales or charges for all meals and drinks furnished by every person operating a food establishment situated in the city or a portion thereof. The tax authorized in this section may be imposed in increments of one-eighth of one percent, up to a maximum of two percent of such gross receipts. One-half of any such tax imposed under this section shall be used solely for the development, promotion, and operation of a museum. Such tax shall be in addition to all other sales taxes imposed on such food establishments, and shall be stated separately from all other charges and taxes. Such tax shall not become effective unless the city council, by order or ordinance, submits to the voters of the city a proposal to authorize the city council to impose a tax under this section on any day available for such city to hold municipal elections or at a special election called for the purpose.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the gross receipts derived from the sales of meals or drinks at any food establishment situated in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of providing funds for the development, promotion, and operation of museum and tourism-related activities and facilities, with (insert rate of percent) percent of such tax dedicated to museum purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following notification to the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. The tax imposed under this section shall be known as the "Museum and Tourism-Related Activities Tax". Each city imposing a tax under this section shall establish separate trust funds to be known as the "Museum Trust Fund" and the "Tourism-Related Trust Fund". The city treasurer shall deposit the revenue derived from the tax imposed under this section for museum purposes in the museum trust fund, and shall deposit the revenue derived for tourism-related purposes in the tourism-related trust fund. The proceeds of such tax shall be appropriated by the city council exclusively for the development, promotion, and operation of museum and tourism-related activities and facilities in the city.

5. All applicable provisions in chapter 144, RSMo, relating to state sales tax, and in section 32.057, RSMo, relating to confidentiality, shall apply to the collection of any tax imposed under this section.

6. All exemptions for government agencies, organizations, individuals, and on the sale of certain tangible personal property and taxable services granted under sections 144.010 to 144.525, RSMo, shall be applicable to the imposition and collection of any tax imposed under this section.

7. The same sales tax permits, exemption certificates, and retail certificates required for the administration and collection of state sales tax in chapter 144, RSMo, shall be deemed adequate for the administration and collection of any tax imposed under this section, and no additional permit, exemption certificate, or retail certificate shall be required, provided that the director of the department of revenue may prescribe a form of exemption certificate for an exemption from any tax imposed under this section.

8. Any individual, firm, or corporation subject to any tax imposed under this section shall collect the tax from the patrons of the food establishment, and each such patron of the food establishment shall pay the amount of the tax due to the individual, firm, or corporation required to collect the tax. The city shall permit the individual required to remit the tax to deduct and retain an amount equal to two percent of the taxes collected. The city council may either require the license collector of the city to collect the tax, or may enter into an agreement with the director of the department of revenue to have the director collect the tax on behalf of the city. In the event such an agreement is entered into, the director shall perform all functions incident to the collection, enforcement, and operation of such tax, and shall collect the tax on behalf of the city and shall transfer the funds collected to the city license collector, except for an amount not less than one percent nor more than three percent, which shall be retained by the director for the costs of collecting the tax. If the director is to collect such tax, the tax shall be collected and reported upon such forms and under such administrative rules and regulations as the director may prescribe. All refunds and penalties as provided in sections 144.010 to 144.525, RSMo, are hereby made applicable to violations of this section.

9. It is unlawful for any person to advertise or hold out or state to the public or to any food establishment patron, directly or indirectly, that the tax or any part thereof imposed by this section, and required to be collected by that person, will be absorbed by that person, or anyone on behalf of that person, or that it will not be separately stated and added to the price of the food establishment bill, or if added, that it or any part thereof will be refunded.

10. The governing body of any city that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the sole purpose of providing funds for the development, promotion, and operation of museum and tourism-related activities and facilities, with (insert rate of percent) percent of such tax dedicated to museum purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

11. Whenever the governing body of any city that has adopted the tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

12. If the tax is repealed, all funds remaining in the special trust funds shall continue to be used solely for the designated purposes. Any funds in the special trust funds which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the funds."; and

Further amend said bill, Page 3, Section B, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following:

"144.518. In addition to the exemptions granted pursuant to section 144.030, there is hereby specifically exempted from the provisions of sections 66.600 to 66.635, RSMo, sections 67.391 to 67.395, RSMo, sections 67.500 to 67.545, RSMo, section 67.547, RSMo, sections 67.550 to 67.594, RSMo, sections 67.665 to 67.667, RSMo, sections 67.671 to 67.685, RSMo, sections 67.700 to 67.727, RSMo, section 67.729, RSMo, sections 67.730 to 67.739, RSMo, sections 67.1000 to 67.1012, RSMo, **section 82.850, RSMo**, sections 92.325 to 92.340, RSMo, sections 92.400 to 92.421, RSMo, sections 94.500 to 94.570, RSMo, section 94.577, RSMo, sections 94.600 to 94.655, RSMo, section 94.660, RSMo, sections 94.700 to 94.755, RSMo, sections 94.800 to 94.825, RSMo, section 94.830, RSMo, sections 94.850 to 94.857, RSMo, sections 94.870 to 94.881, RSMo, section 94.890, RSMo, sections 144.010 to 144.525, and sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, sections 238.235 and 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, and section 644.032, RSMo, and from the computation of the tax levied, assessed or payable pursuant to sections 66.600 to 66.635, RSMo, sections 67.391 to 67.395, RSMo, sections 67.500 to 67.545, RSMo, section 67.547, RSMo, sections 67.550 to 67.594, RSMo, sections 67.665 to 67.667, RSMo, sections 67.671 to 67.685, RSMo, sections 67.700 to 67.727, RSMo, section 67.729, RSMo, sections 67.730 to 67.739, RSMo, sections 67.1000 to 67.1012, RSMo, **section 82.850, RSMo**, sections 92.325 to 92.340, RSMo, sections 92.400 to 92.421, RSMo, sections 94.500 to 94.570, RSMo, section 94.577, RSMo, sections 94.600 to 94.655, RSMo, section 94.660, RSMo, sections 94.700 to 94.755, RSMo, sections 94.800 to 94.825, RSMo, section 94.830, RSMo, sections 94.850 to 94.857, RSMo, sections 94.870 to 94.881, RSMo, section 94.890, RSMo, sections 144.010 to 144.525, sections 144.600 to 144.761, sections 190.335 to 190.337, RSMo, sections 238.235 and 238.410, RSMo, section 321.242, RSMo, section 573.505, RSMo, and section 644.032, RSMo, machines or parts for machines used in a commercial, coin-operated amusement and vending business where sales tax is paid on the gross receipts derived from the use of commercial, coin-operated amusement and vending machines.

Section B. Because immediate action is necessary to provide funding for necessary infrastructure, the enactment of Section 94.838 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of Section 94.838 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 3** was adopted.

Representative Wood offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 186, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 56.060, 56.631, 56.640, 56.650, 56.660, 67.1922, and 67.1934, RSMo, and to enact in lieu thereof eight new sections relating to county government, with an emergency clause for a certain section."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 56.060, 56.631, 56.640, 56.650, 56.660, 67.1922, and 67.1934, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 56.060, 56.631, 56.640, 56.650, 56.660, 67.1922, 67.1934, and 94.838, to read as follows:

56.060. 1. Each prosecuting attorney shall commence and prosecute all civil and criminal actions in his county in which the county or state is concerned, defend all suits against the state or county, and prosecute forfeited recognizances and actions for the recovery of debts, fines, penalties and forfeitures accruing to the state or county. In all cases, civil and criminal, in which changes of venue are granted, he shall follow and prosecute or defend, as the case may be, all the causes, for which, in addition to the fees now allowed by law, he shall receive his actual expenses. If any misdemeanor case is taken to the court of appeals by appeal he shall represent the state in the case in the court and make out and cause to be printed, at the expense of the county, all necessary abstracts of record and briefs, and if necessary appear in the court in person, or shall employ some attorney at his own expense to represent the state in the court, and for his services he shall receive the compensation that is proper, not to exceed twenty-five dollars for each case, and necessary traveling expenses, to be audited and paid as other claims are audited and paid by the county commission of the county.

2. Notwithstanding the provisions of subsection 1, in any county [of the first class not having a charter form of government] for which a county counselor is appointed, the prosecuting attorney shall only perform those duties prescribed by subsection 1 which are not performed by the county counselor under the provisions of law relating to the office of county counselor.

56.631. 1. The county commission **or governing body** of any county [of the first class not having a charter form of government or any second class county which contains part of a city with a population of at least three hundred fifty thousand] may by order of the commission **or governing body** appoint some suitable person to the position of county counselor. If a county counselor is appointed, he shall be commissioned as other officers are commissioned. The county counselor shall serve at the pleasure of the county commission **or governing body**.

2. The county counselor shall be a person licensed to practice law in this state, but the county commission **or governing body** may determine and fix further qualifications for the position.

3. The county commission **or governing body** shall fix the compensation of the county counselor.

4. The county commission **or governing body** may require the county counselor to devote his full time to the duties of his office.

56.640. 1. If a county counselor is appointed, he and his assistants under his direction shall represent the county and all departments, officers, institutions and agencies thereof, except as otherwise provided by law and shall upon request of any county department, officer, institution or agency for which legal counsel is otherwise provided by law, and upon the approval of the county commission or governing body, represent such department, officer, institution or agency. He shall commence, prosecute or defend, as the case may require, and exercise exclusive authority in all civil suits or actions in which the county or any county officer, commission, **governing body** or agency is a party, in his or its official capacity, he shall draw all contracts relating to the business of the county, he shall represent the county generally in all matters of civil law, and he shall upon request furnish written opinions to any county officer or department.

2. In all cases in which a civil fine may be imposed pursuant to section 49.272, RSMo, it shall be the duty of the county counselor, rather than the county prosecuting attorney, to prosecute such violations in the associate division of the circuit court in the county where the violation occurred.

3. Notwithstanding any law to the contrary, the county counselor in any county of the first classification and the prosecuting attorney of such county may by mutual cooperation agreement prosecute or defend any civil action which the prosecuting attorney or county counselor of the county is authorized or required by law to prosecute or defend.

56.650. If a county counselor is appointed, he shall in person, or by assistant, at the election of the county commission **or governing body**, attend [each sitting] **such sittings** of the county commission and give advice on all legal questions that may arise during the session of the commission **or governing body as the county commission or governing body**, and he shall assist the **county commission or governing body** in all such matters that may be referred to him. The county counselor may, with the approval of the county commission **or governing body**, employ such office personnel as are necessary in the discharge of his official duties and such employees and assistants shall hold their positions at the pleasure of the county counselor and shall be paid monthly by the county commission **or governing body** out of the county treasury. The county counselor may, with the approval of the county commission **or governing body**, appoint such assistants as are necessary in the conduct of his office, who shall receive as compensation such salary as is fixed by the county counselor and approved by the county commission **or governing body**.

56.660. [In all counties of the first class not having a charter form of government and containing all or part of a city with a population of over four hundred thousand inhabitants,] The county counselor may, with the approval of the **county commission or the governing body** of such county, employ special county counselors to represent such county in prosecuting or defending any suit by or against such county, or any official of such county acting in his official capacity. The county counselor may pay such special county counselors a reasonable compensation, which shall be fixed by the **county commission or the governing body** of such county and paid out of such funds as the **county commission or the governing body** may direct, for their services. Special county counselors employed under this section shall have the same qualifications required for county counselors under the provisions of section 56.631.

67.1922. 1. The governing body of any county containing any part of a Corps of Engineers lake with a shoreline of at least seven hundred miles and not exceeding a shoreline of nine hundred miles or the governing body of any county which borders on or which contains part of a lake with not less than one hundred miles of shoreline may impose by order [a] **one or more sales [tax] taxes**, not to exceed one and one-half percent **in the aggregate**, on all retail sales made in such county which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo, for the purpose of [promoting] **affecting any combination of** water quality, infrastructure [and] **or** tourism [through programs designed to affect the economic development of] **in** the county. The [tax] **taxes** authorized by this section shall be in addition to any and all other sales taxes allowed by law; except that no order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a municipal or state primary, general or special election, a proposal to authorize the governing body of the county to impose [a] **such** tax.

2. [The] **Each** ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert percent) for the purpose of [creating and implementing water quality, infrastructure and tourism programs affecting economic development in the county] **affecting? (water quality, infrastructure and tourism) (water quality and infrastructure) (water quality and tourism) (infrastructure and tourism) (water quality) (infrastructure) (tourism) (insert one)** as provided by law?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the county voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If the proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax authorized pursuant to this section unless and until the governing body shall again have submitted another proposal to authorize the governing body to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the county voting on such proposal.

67.1934. The governing body of the county, when presented with a petition, signed by at least twenty percent of the registered voters in the county that voted in the last gubernatorial election, calling for an election to repeal the tax shall submit the question to the voters using the same procedure by which the imposition of the tax was voted. The ballot of submission shall be in substantially the following form:

Shall County, Missouri, repeal the percent economic development sales tax for [promoting water quality, infrastructure and tourism] **affecting? (water quality, infrastructure and tourism programs) (water quality and infrastructure programs) (water quality and tourism programs) (infrastructure and tourism programs) (water quality programs) (infrastructure programs) (tourism programs) (insert one)** now in effect in the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the county voting thereon are in favor of repeal, that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved or after the repayment of the county's indebtedness incurred pursuant to sections 67.1922 to 67.1940, whichever occurs later."; and

Further amend said bill, Page 3, Section B, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because immediate action is necessary to provide funding for necessary infrastructure, the enactment of section 94.838 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 94.838 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wood, **House Amendment No. 4** was adopted.

Representative Faith offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 186, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval [pursuant to] **under** this section, levy a sales tax not to exceed one-quarter of a cent in the county **or city** for the purpose of providing services described in section 210.861, RSMo, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county **or city** at a county **or city** or state general, primary or special election upon the motion of the governing body of the county **or city** or upon the petition of eight percent of the qualified voters of the county **or city** determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county **or city** shall give legal notice as provided in chapter 115, RSMo. The question shall be submitted in substantially the following form:

Shall County **or city, solely for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families**, be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the county [for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families]?

☐ YES

☐ NO

[If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall be levied and collected as otherwise provided by law. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not be levied unless and until the question is again submitted to the qualified voters of the county and a majority of such voters are in favor of such a tax, and not otherwise.] **If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director receives notification of the local sales tax. If a question receives less than the required majority, then the governing authority of the city or county shall have no power to impose the sales tax unless and until the governing authority of the city or county has submitted another question to authorize the imposition of the sales tax authorized by this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section.**

2. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a special fund, which is hereby created, to be known as the "Community Children's Services Fund". The moneys in the city or county community children's services fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the fund which was collected in each city or county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each city or county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the fund during the preceding month by distributing to the city or county treasurer, or such other officer as may be designated by a city or county ordinance or order, of each city or county imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the city or county.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each city or county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the director of revenue may order retention in the fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

6. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury **or, in a city not within a county, to the board established by law to administer such fund** to the credit of a special "Community Children's Services Fund" **to accomplish the purposes set out herein and in section 210.861, RSMo, and shall be used for no other purpose.** Such fund shall be administered by a board of directors, established [pursuant to] **under** section 210.861, RSMo."; and

Further amend said bill Page 3, Section 94.838, Line 80, by inserting after all of said line the following:

"210.860. 1. The governing body of any county or city not within a county may, after voter approval pursuant to this section, levy a tax not to exceed twenty-five cents on each one hundred dollars of assessed valuation on taxable property in the county for the purpose of providing counseling, family support, and temporary residential services to persons eighteen years of age or less **and those services described in section 210.861.** The question shall be submitted to the qualified voters of the county or city not within a county at a county or state general, primary or special election

upon the motion of the governing body of the county or city not within a county or upon the petition of eight percent of the qualified voters of the county determined on the basis of the number of votes cast for governor in such county or city not within a county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city not within a county shall give legal notice as provided in chapter 115, RSMo. The question shall be submitted in substantially the following form:

Shall County (City) be authorized to levy a tax of cents on each one hundred dollars of assessed valuation on taxable property in the county (city) for the purpose of establishing a community children's services fund for purposes of providing funds for counseling and related services to children and youth in the county (city) eighteen years of age or less and services which will promote healthy lifestyles among children and youth and strengthen families?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall be levied and collected as otherwise provided by law. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not be levied unless and until the question is again submitted to the qualified voters of the county or city not within a county and a majority of such voters are in favor of such a tax, and not otherwise.

2. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury **or, in a city not within a county, to the board established by law to administer such fund** to the credit of a special "Community Children's Services Fund" **to accomplish the purposes set out herein and shall be used for no other purpose.** Such fund shall be administered by **and expended only upon approval by** a board of directors, established pursuant to section 210.861.

210.861. 1. When the tax prescribed by section 210.860 or section 67.1775, RSMo, is established, the governing body of the **city or** county shall appoint a board of directors consisting of nine members, who shall be residents of the **city or** county. All board members shall be appointed to serve for a term of three years, except that of the first board appointed, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. In a city not within a county, or any county of the first classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants the members of the community mental health board of trustees appointed pursuant to the provisions of sections 205.975 to 205.990, RSMo, shall be the board members for the community children's services fund. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his duties and faithful accounting of all moneys that may come into his hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors. The board shall administer **and expend** all funds generated pursuant to section 210.860 or section 67.1775, RSMo, in a manner consistent with this section.

3. The board may contract with public or not-for-profit agencies licensed or certified where appropriate to provide qualified services and may place conditions on the use of such funds. The board shall reserve the right to audit the expenditure of any and all funds. The board and any agency with which the board contracts may establish eligibility standards for the use of such funds and the receipt of services. No member of the board shall serve on the governing body, have any financial interest in, or be employed by any agency which is a recipient of funds generated pursuant to section 210.860 or section 67.1775, RSMo.

4. Revenues collected and deposited in the community children's services fund may be expended for the purchase of the following services:

(1) Up to thirty days of temporary shelter for abused, neglected, runaway, homeless or emotionally disturbed youth; respite care services; and services to unwed mothers;

(2) Outpatient chemical dependency and psychiatric treatment programs; counseling and related services as a part of transitional living programs; home-based and community-based family intervention programs; unmarried parent

services; crisis intervention services, inclusive of telephone hotlines; and prevention programs which promote healthy lifestyles among children and youth and strengthen families;

(3) Individual, group, or family professional counseling and therapy services; psychological evaluations; and mental health screenings.

5. Revenues collected and deposited in the community children's services fund may not be expended for inpatient medical, psychiatric, and chemical dependency services, or for transportation services."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Faith, **House Amendment No. 5** was adopted.

Representative Hobbs offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 186, Section 94.838, Page 3, Line 80, by inserting after said line the following:

"94.700. The following words, as used in sections 94.700 to 94.755, shall have the following meaning unless a different meaning clearly appears from the context:

(1) "City" shall mean any incorporated city, town, or village in the state of Missouri with a population of [two hundred] **one hundred** or more, but the term "city" does not include any city not within a county or any city of over four hundred thousand inhabitants wholly or partially within a first class county;

(2) "City transit authority" shall mean a commission or board created by city charter provision or by ordinance of a city, and which operates a public mass transportation system;

(3) "City utilities board" shall mean a board or commission created by city charter provision or by ordinance of a city, which controls and operates city-owned utilities including a public mass transportation system;

(4) "Director of revenue" shall mean the director of revenue of the state of Missouri;

(5) "Interstate transportation authority" shall mean any political subdivision created by compact between this state and another state, which is a body corporate and politic and a political subdivision of both contracting states, and which operates a public mass transportation system;

(6) "Interstate transportation district" shall mean that geographical area set forth and defined in the particular compact between this state and another state;

(7) "Person" shall mean an individual, corporation, partnership, or other entity;

(8) "Public mass transportation system" shall mean a transportation system or systems owned and operated by an interstate transportation authority, a municipality, a city transit authority, or a city utilities board, employing motor buses, rails or any other means of conveyance, by whatsoever type or power, operated for public use in the conveyance of persons, mainly providing local transportation service within an interstate transportation district or municipality;

(9) "Transportation purposes" shall mean financial support of a "public mass transportation system"; the construction, reconstruction, repair and maintenance of streets, roads and bridges within a municipality; the construction, reconstruction, repair and maintenance of airports owned and operated by municipalities; the acquisition of lands and rights-of-way for streets, roads, bridges and airports; and planning and feasibility studies for streets, roads, bridges, and airports. "Bridges" shall include bridges connecting a municipality with another municipality either within or without the state, with an unincorporated area of the state, or with another state or an unincorporated area thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hobbs, **House Amendment No. 6** was adopted.

Representative Munzlinger offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 186, Section 94.838, Page 3, Line 80, by inserting immediately after said line, the following:

“Section A. Chapter 94, RSMo, is amended by adding thereto one new section, to be known as section 94.837, to read as follows:

94.837. 1. The governing body of any city of the fourth classification with more than two thousand five hundred but fewer than two thousand six hundred inhabitants and located in any county of the third classification without a township form of government and with more than ten thousand four hundred but fewer than ten thousand five hundred inhabitants, the governing body of any special charter city with more than nine hundred fifty but fewer than one thousand fifty inhabitants, and the governing body of any city of the fourth classification with more than one thousand two hundred but fewer than one thousand three hundred inhabitants and located in any county of the third classification without a township form of government and with more than four thousand three hundred but fewer than four thousand four hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Munzlinger, **House Amendment No. 7** was adopted.

Representative Rupp offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 186, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.1159. 1. In any case in which any tax, interest or penalty imposed under sections 67.1150 to 67.1158 is not paid when due, the authority or its designated agent may file for record in the real estate records of the recorder's office of the city or the county where the business giving rise to the tax, interest, or penalty is located, or in which the person owing the tax, interest, or penalty resides, a notice of lien specifying the amount of tax, interest, or penalty due and the name of the person liable for the same. From the time of filing any such notice, the amount of the tax specified in such notice shall have the force and effect of a lien against the real and personal property of the business of such person or the facility giving rise to the tax for the amount specified in such notice.

2. A lien created under subsection 1 of this section may be released:

(1) By filing for record in the office of the recorder where the lien was originally filed a release of the lien executed by a duly authorized agent of the authority upon payment of the tax, interest, and penalty due; or

(2) Upon receipt by the authority of sufficient security to owners or successors-in-interest are operating or managing in violation of the provisions of sections 67.1150 to 67.1159. The courts shall expedite the hearing on the merits of any such action and shall not require the authority to post a bond pending such hearing."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rupp, **House Amendment No. 8** was adopted.

Representative Bringer offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for House Bill 186, Page 3, Section 94.838, Line 80, by inserting after said line the following:

"198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining apartments for seniors that provide, at a minimum, housing, food services, and emergency call buttons in any county of the third classification without a township form of government and with more than twenty-eight thousand two hundred inhabitants but fewer than twenty-eight thousand three hundred inhabitants or any county of the third classification without a township form of government and with more than nine thousand five hundred fifty but fewer than nine thousand six hundred fifty inhabitants."; and

Further amend said title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 9** was adopted.

Representative Byrd offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 186, Page 3, Section 94.838, Line 80, by inserting after all of said line the following:

"184.357. 1. The board of directors of any metropolitan zoological park and museum district as established pursuant to the provisions of sections 184.350 to 184.384, on behalf of the district, may request the election officials of any city and county of such district to submit a proposition or propositions to increase the tax rate for the zoological park subdistrict and the art museum subdistrict set in section 184.350 and to increase the rate for the botanical garden subdistrict set in section 184.353 to the qualified voters of such district at any general, primary or special election. Such election officials, upon receipt of such request in the form of a verified resolution or resolutions approved by the majority of the members of such district board of directors, shall set the date of such election and give notice of such election as provided by sections 115.063 and 115.065, RSMo.

2. Such proposition or propositions shall be jointly or severally submitted to the voters in substantially the following form at such election:

(1) Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to increase the tax rate for the zoological park subdistrict up to the maximum tax rate of eight cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining and otherwise financially supporting the subdistrict? The tax rate shall be set annually by the board based on the budget submitted by the zoological park subdistrict and approved by the board. This tax rate shall replace the present tax rate of cents for the zoological park subdistrict.

☐ YES

☐ NO

(2) Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to increase the tax rate for the art museum subdistrict up to the maximum tax rate of eight cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining and otherwise financially supporting the subdistrict and approved by the board? The tax rate shall be set annually by the board based on the budget submitted by the art museum subdistrict and approved by the board. This tax rate shall replace the present tax rate of cents for the art museum subdistrict.

☐ YES

☐ NO

(3) Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to increase the tax rate for the botanical garden subdistrict up to the maximum tax rate of six cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining and otherwise financially supporting the subdistrict and approved by the board? The tax rate shall be set annually by the board based on the budget submitted by the botanical garden subdistrict and approved by the board. This tax rate shall replace the present tax rate of cents for the botanical garden subdistrict.

☐ YES

☐ NO

(4) Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to increase the tax rate for the Missouri history museum subdistrict up to the maximum tax rate of six cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining, and otherwise financially supporting the subdistrict and approved by the board? The tax rate shall be set annually by the board based on the budget submitted by the Missouri history museum subdistrict and approved by the board. This tax rate shall replace the present tax rate of cents for the Missouri history museum subdistrict.

☐ YES

☐ NO

In the event that a majority of the voters voting on such proposition or propositions in such city and the majority of the voters voting on such proposition or propositions in such county cast votes "YES" on the proposition or propositions, then the tax rate for such subdistrict shall be deemed in full force and effect as of the first day of the second month following the election. The results of the aforesaid election shall be certified by the election officials of such city and county, respectively, to the respective chief executive officers of such city and county not less than thirty days after the day on which such election was held. The cost of the election shall be paid as provided by sections 115.063 and 115.065, RSMo. In the event the proposition or propositions shall fail to receive a majority of the votes "YES" in either the city or the county, then the proposition or propositions shall not be resubmitted at any election held within one year of the date of the election the proposition or propositions were rejected."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 10** was adopted.

On motion of Representative Emery, **HCS HB 186, as amended**, was adopted.

On motion of Representative Emery, **HCS HB 186, as amended**, was ordered perfected and printed.

HB 48, relating to museum and tourism-related sales tax, was taken up by Representative Dougherty.

Representative Byrd offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 48, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 144.518 and 184.357, RSMo, and to enact in lieu thereof three new sections relating to museum and tourism-related activities, with an emergency clause."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 144.518 and 184.357, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 82.520, 144.518, and 184.357, to read as follows:"; and

Further amend said bill, Page 4, Section 82.850, Line 124, by inserting after all of said line the following:

"184.357. 1. The board of directors of any metropolitan zoological park and museum district as established pursuant to the provisions of sections 184.350 to 184.384, on behalf of the district, may request the election officials of any city and county of such district to submit a proposition or propositions to increase the tax rate for the zoological park subdistrict and the art museum subdistrict set in section 184.350 and to increase the rate for the botanical garden subdistrict set in section 184.353 to the qualified voters of such district at any general, primary or special election. Such election officials, upon receipt of such request in the form of a verified resolution or resolutions approved by the majority of the members of such district board of directors, shall set the date of such election and give notice of such election as provided by sections 115.063 and 115.065, RSMo.

2. Such proposition or propositions shall be jointly or severally submitted to the voters in substantially the following form at such election:

(1) Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to increase the tax rate for the zoological park subdistrict up to the maximum tax rate of eight cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining and otherwise financially supporting the subdistrict? The tax rate shall be set annually by the board based on the budget submitted by the zoological park subdistrict and approved by the board. This tax rate shall replace the present tax rate of cents for the zoological park subdistrict.

☐ YES

☐ NO

(2) Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to increase the tax rate for the art museum subdistrict up to the maximum tax rate of eight cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining and otherwise financially supporting the subdistrict and approved by the board? The tax rate shall be set annually by the board based on the budget submitted by the art museum subdistrict and approved by the board. This tax rate shall replace the present tax rate of cents for the art museum subdistrict.

☐ YES

☐ NO

(3) Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to increase the tax rate for the botanical garden subdistrict up to the maximum tax rate of six cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining and otherwise financially supporting the subdistrict and approved by the board? The tax rate shall be set annually by the board based on the budget submitted by the botanical garden subdistrict and approved by the board. This tax rate shall replace the present tax rate of cents for the botanical garden subdistrict.

☐ YES

☐ NO

(4) Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to increase the tax rate for the Missouri history museum subdistrict up to the maximum tax rate of six cents, or any percent thereof, on each \$100 of assessed valuation of taxable property within the district for the purpose of operating, maintaining, and otherwise financially supporting the subdistrict and approved by the board? The tax rate shall be set annually by the board based on the budget submitted by the Missouri history museum subdistrict and approved by the board. This tax rate shall replace the present tax rate of cents for the Missouri history museum subdistrict.

☐ YES

☐ NO

In the event that a majority of the voters voting on such proposition or propositions in such city and the majority of the voters voting on such proposition or propositions in such county cast votes "YES" on the proposition or propositions, then the tax rate for such subdistrict shall be deemed in full force and effect as of the first day of the second month following the election. The results of the aforesaid election shall be certified by the election officials of such city and county, respectively, to the respective chief executive officers of such city and county not less than thirty days after the day on which such election was held. The cost of the election shall be paid as provided by sections 115.063 and 115.065, RSMo. In the event the proposition or propositions shall fail to receive a majority of the votes "YES" in either the city

or the county, then the proposition or propositions shall not be resubmitted at any election held within one year of the date of the election the proposition or propositions were rejected."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

On motion of Representative Dougherty, **HB 48, as amended**, was ordered perfected and printed.

HB 114, relating to the Kansas City transportation sales tax, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HB 114** was ordered perfected and printed.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Callie Dishman, Cassie Dishman and Sam Zoole.

HOUSE RESOLUTION

Representatives Bringer and Pratt offered House Resolution No. 1135.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1130

and

House Resolution No. 1131 - Representative Dixon

House Resolution No. 1132 - Representative Nolte

House Resolution No. 1133

and

House Resolution No. 1134 - Representative Kuessner

THIRD READING OF HOUSE BILLS - CONSENT

HB 229, relating to homestead property tax exemptions, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 229** was read the third time and passed by the following vote:

AYES: 146

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hughes	Hunter
Iceet	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Phillips	Pollock
Portwood	Pratt	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 015

Avery	Bean	Bland	Bowman	Boykins
Dusenberg	El-Amin	Hubbard	Jackson	Johnson 90
LeVota	Marsh	Pearce	Quinn	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 230, relating to senior citizen property tax relief, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 230** was read the third time and passed by the following vote:

AYES: 126

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Black	Brown 30	Brown 50	Bruns
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 110	Haywood
Hobbs	Hoskins	Hughes	Ice	Jackson
Johnson 47	Johnson 61	Jones	Kelly	Kingery
Kratky	Kraus	Lager	Lampe	Lembke
Liese	Lipke	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Pearce	Phillips	Pollock
Portwood	Pratt	Rector	Richard	Roark
Robb	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 022

Aull	Baker 25	Bringer	Brooks	Burnett
Corcoran	Darrough	Daus	Donnelly	Dougherty
Harris 23	Henke	Jolly	Kuessner	LeVota
Oxford	Robinson	Roorda	Rucker	Skaggs
Storch	Wallace			

PRESENT: 000

ABSENT WITH LEAVE: 014

Bean	Bland	Bowman	Boykins	Dusenberg
El-Amin	Hubbard	Hunter	Johnson 90	Loehner
Marsh	Parson	Quinn	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 379, relating to financial institution regulators, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HCS HB 379** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Bowman	Boykins	Dusenberg	El-Amin
Hubbard	Johnson 90	Marsh	Quinn	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 174, relating to real estate licenses, was taken up by Representative Wood.

On motion of Representative Wood, **HCS HB 174** was adopted.

On motion of Representative Wood, **HCS HB 174** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 20

WHEREAS, according to a 1996 study by the Centers for Disease Control, 16% of six million-plus pregnancies ended in either a miscarriage or a stillbirth, or almost a million perinatal losses. Of those six million-plus pregnancies, 62% (3,720,000) ended in live births, and 26,784 of those births ended in infant deaths from eleven months and younger. This does not reflect the 22% who are lost to abortion; and

WHEREAS, the availability of information and support is of the utmost importance to families who suffer from pregnancy and infant loss to better help them cope; and

WHEREAS, a public that is informed and educated about pregnancy and infant loss can better learn how to respond with compassion to affect families; and

WHEREAS, professionals who come in contact with families who have suffered pregnancy or infant loss, such as physicians, clergy, emergency medical technicians, funeral directors, police officers, public health nurses, and employers, can better serve families if they have special training and better knowledge of pregnancy and infant loss; and

WHEREAS, a Pregnancy and Infant Loss Remembrance Day on October fifteenth is set aside to remember all of the pregnancies and infants lost in order to heal and be comforted in a time of pain and heartache, and to have hope for the future:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby proclaim October fifteenth of each year as "Pregnancy and Infant Loss Remembrance Day"; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 236**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 422**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 453**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 531**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 631**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 177**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 353**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 486**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 684**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 280**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 108**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 462** and **HB 463**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 69**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 388**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 474**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 596**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 362**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 286**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 43**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 53**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 155**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 375**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 410**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 487**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 513**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 518**, **HB 288**, **HB 418** and **HB 635**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 618**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 148**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 519**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 119**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 208**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 215**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 343**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 345**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 376**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 413**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 437**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 445**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 479**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 564**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 741**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 741

WHEREAS, the General Assembly has a tradition of granting the use of the House of Representatives and Senate Chambers for mock legislative workshops conducted by civic organizations; and

WHEREAS, the Pentecostal Youth Group Mock Legislative program provides youth with an educational experience in state government by allowing such youth to participate in mock legislative hearings and floor discussions of bills that are of interest to youth:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant the Pentecostal Youth Group permission to use the House Chamber on Monday, March 7, 2005, from 10:00 a.m. until 3:00 p.m. to conduct a mock legislative session.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 813**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 813

WHEREAS, the General Assembly has a long tradition of granting the use of the House of Representatives and Senate Chambers for mock legislative workshops conducted by civic organizations; and

WHEREAS, the YMCA Youth In Government Program is an educational experience in state government for high school students across the state by allowing such students to participate in mock legislative hearings and floor discussions of current issues that are of interest to high school students:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant the YMCA Youth In Government Program use of the House Chamber and House Hearing Rooms on Saturday, November 19, 2005, for the YMCA Youth In Government Pre-convention Training, and on Thursday through Saturday, December 1-3, 2005, for the YMCA Youth In Government State Convention.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 838**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 838

WHEREAS, the Missouri General Assembly has a long tradition of rendering assistance to those programs aimed at developing qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June 2005, the American Legion Auxiliary, Department of Missouri, is conducting the Sixty-fourth annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event is the conducting of a mock legislative session in the house Chamber at the State Capitol where participants will gather to gain a more realistic insight into official governmental and electoral proceedings:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant the adult leaders and participants of the Sixty-fourth Session of the Missouri Girls State permission to use the House Chamber for the purpose of conducting a mock legislative session on Tuesday, June 21, 2005, from 9:30 a.m. to 12:00 p.m.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 923**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 923

WHEREAS, the General Assembly has a tradition of granting the use of the House of Representatives and Senate Chambers for mock legislative workshops conducted by civic organizations; and

WHEREAS, the Missouri Hugh O'Brian Youth Leadership (HOBY) Program provides lifelong leadership development opportunities by bringing together high-energy volunteers and high school sophomores with leaders in business, government, public service, volunteerism, and community service and education for seminars encouraging students to learn "how to think, not what to think":

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby grant the Missouri Hugh O'Brian Youth Leadership Program permission to use the House Chamber on Friday, May 20, 2005, from 2:00 p.m. until 5:00 p.m. for a seminar on government.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 40**, **HCS HB 56** and **HB 127**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 22, introduced by Representatives Bruns, Avery, Nieves, Richard, Meadows, Roorda, Moore and Pratt, relating to exemption of personal property for active duty military personnel.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 738, introduced by Representative Behnen, relating to real estate appraisers.

HB 739, introduced by Representatives Lowe (44), Quinn, Meiners, Skaggs, Chappelle-Nadal and Villa, relating to the duties of the board of probation and parole.

HB 740, introduced by Representatives Lowe (44), George, Zweifel, Corcoran, Dougherty, Haywood, Harris (110), Curls, Lampe, Fraser, Yaeger, Oxford, Selby, Baker (25), Sanders Brooks and Swinger, relating to employment practices relating to gender.

HB 741, introduced by Representative Byrd, relating to tort actions for asbestos claims.

HB 742, introduced by Representatives Bearden, Rupp and Kingery, relating to state support for higher education.

HB 743, introduced by Representatives Kingery, May, Wright (159), Swinger, Wallace, Avery, Jetton, Schaaf and Pratt, to authorize the conveyance of property owned by the state in Madison County to the United States for national forest purposes.

HB 744, introduced by Representative Tilley, relating to food inspection.

HB 745, introduced by Representative Dixon, relating to prior, persistent, and predatory sexual offenders.

HB 746, introduced by Representative Dixon, relating to misrepresentation of age by a minor to obtain liquor.

HB 747, introduced by Representative Dixon, relating to appointment of an additional family court commissioner in the thirty-first judicial circuit.

HB 748, introduced by Representative Dixon, relating to escape from commitment or detention.

HB 749, introduced by Representative Dixon, relating to school zones.

HB 750, introduced by Representative Dixon, relating to the cost of imprisonment in jail in certain counties.

HB 751, introduced by Representatives Young, Oxford, Walsh, Lampe, Brown (30), Shoemyer, Baker (25) and Darrough, relating to disabled parking signs.

HB 752, introduced by Representative Avery, relating to national guard tuition assistance.

HB 753, introduced by Representative Avery, relating to the academic scholarship program.

HB 764, introduced by Representative Avery, relating to the designation of a state poem.

HB 755, introduced by Representative Avery, relating to claims for damages and the payment thereof.

HB 756, introduced by Representative Sutherland, relating to collection of unpaid special assessments in neighborhood improvement districts.

HB 757, introduced by Representatives Rupp, Kelly, Jolly, Nieves, Brown (30) and Roorda, relating to law enforcement safety fund.

HB 758, introduced by Representative Schad, relating to certain sewer and water corporations.

HB 759, introduced by Representatives Lager, Fares, Goodman, Phillips, Richard, Ervin, Nolte, Guest, Dixon, Cooper (155), Wilson (119), Stevenson, Lipke, Wood, Faith, Pollock, Robb, Threlkeld, Bearden, Flook, Byrd, Stefanick, Baker (123), May, St. Onge, Brown (30), Sander, Bivins, Weter, Munzlinger, Muschany, McGhee, Icet, Yates, Guest, Parker, Lembke, Kraus, Sutherland, Dempsey, Ruestman, Self, Marsh, Hobbs, Tilley, Fisher, Jones, Nance, Day, Moore, Jackson, Sater, Dusenberg, Avery, Schaaf, Wells, Bruns, Myers, Quinn, Portwood, Kingery, Rupp, Wilson (130) and Wasson, relating to family cost participation in the Missouri first steps program.

HB 760, introduced by Representative Munzlinger, relating to the designation of a certain highway.

HB 761, introduced by Representatives Donnelly, Jolly, Zweifel, Aull, Skaggs, Moore, Lampe, Low (39), El-Amin, Chappelle-Nadal, Baker (25), Oxford, Fraser and Wright-Jones, relating to the designation of a certain highway.

HB 762, introduced by Representatives Donnelly, LeVota, Dougherty, Fraser, Zweifel, Yaeger, Page, Bringer and Storch, relating to advance voting.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 38**, entitled:

An act to repeal section 227.340, RSMo, and to enact in lieu thereof one new section relating to the George Washington Carver Memorial Highway.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 42**, entitled:

An act to repeal section 162.700, RSMo, and to enact in lieu thereof one new section relating to the placement of certain special education pupils.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 57**, entitled:

An act to amend chapter 381, RSMo, by adding thereto two new sections relating to title insurance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 73**, entitled:

An act to amend chapter 589, RSMo, by adding thereto one new section relating to sexual offender registry websites.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 103 & 115**, entitled:

An act to repeal section 167.020, RSMo, and to enact in lieu thereof one new section relating to student enrollment hearings, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 156**, entitled:

An act to repeal sections 68.020 and 68.025, RSMo, and to enact in lieu thereof two new sections relating to port authorities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 161**, entitled:

An act to amend chapter 160, RSMo, by adding thereto one new section relating to the powers of local school boards.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 192**, entitled:

An act to repeal section 490.733, RSMo, and to enact in lieu thereof one new section relating to hazardous materials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 209**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a certain highway.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 222**, entitled:

An act to amend chapter 149, RSMo, by adding thereto one new section relating to which tobacco products can be lawfully sold in Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 227**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to the establishment of the Trooper Robert Kolilis memorial highway.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 233**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to the Congressman Ike Skelton Bridge.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 238**, entitled:

An act to repeal sections 67.1775, 210.860, and 210.861, RSMo, and to enact in lieu thereof three new sections relating to local sales tax to provide community services for children.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 246**, entitled:

An act to amend chapter 644, RSMo, by adding thereto three new sections relating to the authorization of bonds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 247**, entitled:

An act to repeal sections 301.444 and 301.3132, RSMo, and to enact in lieu thereof two new sections relating to special license plates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 257**, entitled:

An act to repeal section 115.019, RSMo, and to enact in lieu thereof one new section relating to the board of election commissioners.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 258**, entitled:

An act to repeal section 205.010, RSMo, and to enact in lieu thereof one new section relating to county health centers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 259**, entitled:

An act to repeal section 64.215, RSMo, and to enact in lieu thereof one new section relating to county planning boards.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 260**, entitled:

An act to repeal section 50.530, RSMo, and to enact in lieu thereof one new section relating to county officials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 262**, entitled:

An act to repeal sections 311.070 and 311.615, RSMo, and to enact in lieu thereof two new sections relating to Missouri wine.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 266**, entitled:

An act to repeal section 168.104, RSMo, and to enact in lieu thereof one new section relating to teachers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 267**, entitled:

An act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to property tax reassessment.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 268**, entitled:

An act to repeal section 184.357, RSMo, and to enact in lieu thereof one new section relating to museums and memorials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 280**, entitled:

An act to repeal section 329.050, RSMo, and to enact in lieu thereof one new section relating to licensing requirements for cosmetologists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 285**, entitled:

An act to repeal section 168.515, RSMo, and to enact in lieu thereof one new section relating to the career ladder program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 286**, entitled:

An act to repeal sections 173.005 and 173.616, RSMo, and to enact in lieu thereof two new sections relating to out-of-state public institutions of higher education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 304**, entitled:

An act to repeal sections 86.387 and 86.630, RSMo, and to enact in lieu thereof two new sections relating to police military leave.

In which the concurrence of the House is respectfully requested.

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sara Lampe, District 138, hereby state and affirm that my vote as recorded on the motion to third read and pass HB 230 in the House Journal for Wednesday, March 9, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of March 2005.

/s/ Sara Lampe
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HR 219, HR 1117

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 3.

Executive session on committee recommendations. Recess 10:00 a.m.

Thirty minutes after morning adjournment executive session on committee recommendations.

CONSERVATION AND NATURAL RESOURCES

Thursday, March 10, 2005, 12:30 p.m. House Chamber south side gallery.

Possible Executive session.

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 4.

Public hearing to be held on: HB 661

Executive session will be held on: HB 491

INSURANCE POLICY

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 4.

Executive session. AMENDED

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 10, 2005, Thirty minutes after adjournment of both Houses.

Senate Committee Room 2. Executive session may or may not follow.

13 CSR 70-10.015, Department of Social Services, Medical Services, Nursing Home Program,

13 CSR 70-10.080, Department of Social Services, Medical Services, Nursing Home Program.

JUDICIARY

Thursday, March 10, 2005, House Chamber south side gallery upon morning adjournment.

Executive session.

LOCAL GOVERNMENT

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 6.

Executive session will follow. AMENDED

Public hearings to be held on: HB 450, HB 559, HB 176, HB 558, HB 480, HB 180

RULES

Thursday, March 10, 2005, 12:45 p.m. House Chamber south side gallery.

Executive session may follow. AMENDED

Public hearings to be held on: HB 678, HB 688, HCS HB 474, HB 684, HB 596, HB 486,

HB 177, HB 69, HCS HB 388, HCS HB 576, HCS HB 508, HB 402, HCS HB 515, HB 456

SENIOR CITIZEN ADVOCACY

Thursday, March 10, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 649, HB 656, HB 681

HOUSE CALENDAR

THIRTY-SEVENTH DAY, THURSDAY, MARCH 10, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 22

HOUSE BILLS FOR SECOND READING

HB 738 through HB 762

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 348 - Pearce
- 2 HCS HB 58 - Johnson (47)
- 3 HB 344 - Baker (123)
- 4 HB 376 - Guest
- 5 HB 564 - Boykins
- 6 HCS HB 437 - Jackson
- 7 HCS HB 208 - Icet

HOUSE BILLS FOR PERFECTION - CONSENT

(3/03/05)

- 1 HCS HB 47 - Brown (30)
- 2 HCS HB 163, 213 & 216 - Smith (14)
- 3 HB 592 - Cooper (120)

(3/07/05)

- 1 HB 269 - Bruns
- 2 HB 361 - Lipke
- 3 HCS HB 580 - Byrd

(3/08/05)

- 1 HB 243 - May
- 2 HB 397 - Henke
- 3 HB 423 - Kuessner
- 4 HB 431 - Wright (137)
- 5 HB 567 - Stevenson

(3/10/05)

- 1 HCS HB 119 - Jones
- 2 HCS HB 215 - Pearce
- 3 HB 343, HCA 1 - Baker (123)
- 4 HB 345 - Baker (123)
- 5 HB 413 - Hubbard
- 6 HB 445 - Guest
- 7 HB 479 - Ervin
- 8 HB 524 - May

HOUSE BILLS FOR THIRD READING

- 1 HCS#2 HB 94 & 185 - Cunningham (145)
- 2 HCS HB 365, E.C. - Munzlinger
- 3 HB 100 - Cunningham (86)
- 4 HCS HB 186, E.C. - Emery
- 5 HB 48, E.C. - Dougherty
- 6 HB 114 - Johnson (47)
- 7 HCS HB 174 - Wood

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 40, E.C. - Tilley
- 2 HCS HB 56 - Threlkeld
- 3 HB 127 - Bivins

SENATE BILLS FOR SECOND READING

- 1 SB 38
- 2 SB 42
- 3 SCS SB 57
- 4 SCS SB 73
- 5 SCS SBs 103 & 115
- 6 SB 156
- 7 SCS SB 161
- 8 SB 192
- 9 SB 209
- 10 SCS SB 222
- 11 SCS SB 227
- 12 SCS SB 233
- 13 SCS SB 238
- 14 SCS SB 246
- 15 SCS SB 247
- 16 SB 257
- 17 SCS SB 258
- 18 SB 259
- 19 SCS SB 260
- 20 SCS SB 262
- 21 SCS SB 266
- 22 SCS SB 267
- 23 SB 268
- 24 SB 280
- 25 SB 285
- 26 SB 286
- 27 SB 304
- 28 SB 317

BILL IN CONFERENCE

HCS SS SCS SB 1 & 130, as amended - Hunter

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTY-SEVENTH DAY, THURSDAY, MARCH 10, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

Almighty God, You command the March winds.

“The wind blows where it wills, and you can hear the sound it makes, but you do not know where it comes from or where it goes...” (John 3:8). Holy Spirit of God, whom we begin to understand through the wind You create and control, blow among us as an assembly, move within each of us.

Spirit of silence, in the still moments of this day open us to God’s presence.

Spirit of peace, help us to be attentive to God’s word in the world.

Spirit of love, compel us to be open to the needs of others.

Spirit of power, bestow the gift of Your strength upon us.

Spirit of God, one with God, Almighty God, who lives and reigns forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nicole Campbell, Allison Campbell, Ashley Cox, Dusty Cox, Megan Chappell, Josh Chappell, Jacob Cluck, Jacob Moss, Emily Akers, Zackery Akers, Adam Ballew, Alissa Ballew, Buffy Parish, Todd Crites, Tricia Crites, Billy Crites, Caleb Hovis, Tanner Hovis, Dalton Hovis, Jessie Adams, Ashley Adams and Alison Keiper.

The Journal of the thirty-sixth day was approved as corrected.

Speaker Jetton assumed the Chair.

SPECIAL RECOGNITION

Ms. Jackie Sproat was introduced by Representative Swinger and recognized as an Outstanding Missourian.

The 1140th Engineering Battalion, A Company, was introduced by Representative Avery and honored by the entire Missouri House of Representatives.

Speaker Pro Tem Bearden resumed the Chair.

HOUSE RESOLUTION

Representative Wright (137), et al., offered House Resolution No. 1176.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

- House Resolution No. 1136 - Representative Schneider, et al.
- House Resolution No. 1137 - Representative Salva
- House Resolution No. 1138
- and
- House Resolution No. 1139 - Representative Harris (110)
- House Resolution No. 1140 - Representative Kraus
- House Resolution No. 1141
- through
- House Resolution No. 1143 - Representative Lager
- House Resolution No. 1144 - Representative Bean
- House Resolution No. 1145 - Representative Cunningham (145)
- House Resolution No. 1146
- through
- House Resolution No. 1150 - Representative Jetton
- House Resolution No. 1151 - Representative Parker
- House Resolution No. 1152 - Representative Munzlinger
- House Resolution No. 1153 - Representative Walton
- House Resolution No. 1154
- and
- House Resolution No. 1155 - Representative Fares
- House Resolution No. 1156 - Representative Smith (14)
- House Resolution No. 1157
- through
- House Resolution No. 1170 - Representative Wilson (119)
- House Resolution No. 1171 - Representative Kingery
- House Resolution No. 1172
- through
- House Resolution No. 1174 - Representative Lager
- House Resolution No. 1175 - Representative El-Amin
- House Resolution No. 1177 - Representative Flook
- House Resolution No. 1178 - Representative Jetton
- House Resolution No. 1179
- and
- House Resolution No. 1180 - Representative Denison
- House Resolution No. 1181
- through
- House Resolution No. 1184 - Representative Bruns
- House Resolution No. 1185 - Representative Cooper (158)
- House Resolution No. 1186 - Representative Schad

House Resolution No. 1187 - Representative Sanders Brooks
 House Resolution No. 1188
 through
 House Resolution No. 1194 - Representative Fares
 House Resolution No. 1195
 through
 House Resolution No. 1208 - Representative Sander
 House Resolution No. 1209 - Representative Threlkeld

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 22 was read the second time.

SECOND READING OF HOUSE BILLS

HB 738 through **HB 762** were read the second time.

SECOND READING OF SENATE BILLS

SB 38, SB 42, SCS SB 57, SCS SB 73, SCS SBs 103 & 115, SB 156, SCS SB 161, SB 192, SB 209, SCS SB 222, SCS SB 227, SCS SB 233, SCS SB 238, SCS SB 246, SCS SB 247, SB 257, SCS SB 258, SB 259, SCS SB 260, SCS SB 262, SCS SB 266, SCS SB 267, SB 268, SB 280, SB 285, SB 286, SB 304 and SB 317 were read the second time.

THIRD READING OF HOUSE BILLS

HCS#2 HBs 94 & 185, relating to scholarships for survivors of veterans, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **HCS#2 HBs 94 & 185** was read the third time and passed by the following vote:

AYES: 153

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hughes	Icet	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee

Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bean	Bowman	Dusenberg	Hubbard
Hunter	Johnson 90	Sutherland	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 365, relating to county sheriff's revolving funds, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HCS HB 365** was read the third time and passed by the following vote:

AYES: 142

Aull	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Black	Bland	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Emery	Ervin	Faith
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hughes	Icet
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman

Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 007

Byrd	Chappelle-Nadal	Daus	El-Amin	Kratky
Oxford	Page			

PRESENT: 004

Bivins	Brooks	Fares	Johnson 61
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ABSENT WITH LEAVE: 009

Avery	Bean	Bowman	Boykins	Dusenberg
Hubbard	Hunter	Johnson 90	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Black	Bland	Boykins
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Emery
Ervin	Faith	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hughes	Icet	Jackson	Johnson 47	Jolly
Jones	Kelly	Kingery	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld

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Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 008

Brooks	Byrd	Chappelle-Nadal	Daus	El-Amin
Kratky	Oxford	Page		

PRESENT: 003

Bivins	Fares	Johnson 61
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ABSENT WITH LEAVE: 007

Bean	Bowman	Dusenberg	Hubbard	Hunter
Johnson 90	Yaeger			

VACANCIES: 001

HB 100, relating to abortion regulations, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HB 100** was read the third time and passed by the following vote:

AYES: 122

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Bringer	Brown 30
Bruns	Burnett	Byrd	Casey	Chinn
Cooper 120	Cooper 155	Corcoran	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Ervin	Faith	Fisher	Flook
Franz	George	Goodman	Guest	Harris 110
Henke	Hobbs	Hunter	Ice	Jackson
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lembke	Liese	Lipke
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 031

Baker 25	Bland	Boykins	Brooks	Brown 50
Chappelle-Nadal	Darrough	Donnelly	El-Amin	Fares
Fraser	Harris 23	Hoskins	Hughes	Johnson 47
Johnson 61	Jolly	Lampe	LeVota	Low 39
Lowe 44	Oxford	Page	Skaggs	Storch
Walton	Whorton	Witte	Wright-Jones	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Bowman	Cooper 158	Dusenberg	Haywood
Hubbard	Johnson 90	Roorda	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 186, relating to transient guest tax and food sales tax, was taken up by Representative Emery.

On motion of Representative Emery, **HCS HB 186** was read the third time and passed by the following vote:

AYES: 117

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brown 50	Bruns	Byrd	Chappelle-Nadal
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Faith	Fares	Fisher	Franz
Fraser	Goodman	Guest	Hobbs	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kuessner	Lager	Lampe	LeVota	Liese
Lipke	Loehner	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Parker	Parson	Pearce	Phillips
Pollock	Quinn	Rector	Richard	Robb
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Young
Zweifel	Mr Speaker			

NOES: 036

Baker 25	Brooks	Brown 30	Burnett	Casey
Corcoran	Darrough	Daus	Donnelly	El-Amin
Ervin	Flook	George	Harris 110	Harris 23
Henke	Hoskins	Kraus	Lembke	Low 39
Lowe 44	Meadows	Nolte	Oxford	Page
Portwood	Pratt	Roark	Robinson	Roorda
Rucker	Skaggs	Walsh	Walton	Wildberger
Yates				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Bowman	Dusenberg	Haywood	Hubbard
Johnson 90	Marsh	Wagner	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 117

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Boykins	Bringer
Bruns	Burnett	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Curls	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dougherty	Emery	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Henke	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Parker	Parson	Pearce	Phillips	Pollock
Pratt	Quinn	Rector	Richard	Robb
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 028

Bland	Brooks	Brown 30	Brown 50	Casey
Corcoran	Darrough	Daus	Donnelly	El-Amin
Ervin	Harris 110	Harris 23	Hoskins	Hughes
Lembke	Low 39	Meadows	Nolte	Oxford

Page	Portwood	Roark	Robinson	Rucker
Skaggs	Walton	Wildberger		

PRESENT: 006

Baker 25	Chappelle-Nadal	Cunningham 86	Johnson 61	Roorda
Whorton				

ABSENT WITH LEAVE: 011

Bean	Bowman	Dixon	Dusenberg	Haywood
Hubbard	Johnson 90	Marsh	Rupp	Wagner
Yaeger				

VACANCIES: 001

HB 48, relating to museum and tourism-related sales tax, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 48** was read the third time and passed by the following vote:

AYES: 130

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Emery
Faith	Fares	Fisher	Franz	Fraser
George	Goodman	Guest	Hobbs	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	LeVota
Liese	Lipke	Loehner	Lowe 44	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Oxford	Parker
Parson	Pearce	Phillips	Pollock	Pratt
Quinn	Rector	Richard	Robb	Robinson
Rucker	Ruestman	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 018

Brooks	Brown 30	Chappelle-Nadal	Donnelly	Ervin
Flook	Harris 110	Harris 23	Henke	Hoskins
Lembke	Low 39	Nolte	Page	Portwood
Roark	Roorda	Walton		

PRESENT: 002

Cunningham 86	Meadows
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ABSENT WITH LEAVE: 012

Bean	Bowman	Dusenberg	El-Amin	Haywood
Hubbard	Johnson 90	Marsh	Rupp	Salva
Wagner	Yaeger			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 130

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	El-Amin
Emery	Faith	Fares	Fisher	Franz
Fraser	George	Goodman	Guest	Henke
Hobbs	Hughes	Hunter	Icet	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Liese	Lipke	Loehner	Lowe 44
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Oxford
Parker	Parson	Pearce	Phillips	Pollock
Pratt	Quinn	Rector	Richard	Robb
Robinson	Rucker	Ruestman	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 016

Brooks	Brown 30	Chappelle-Nadal	Donnelly	Ervin
Flook	Harris 110	Harris 23	Hoskins	Lembke
Low 39	Nolte	Page	Portwood	Roark
Walton				

PRESENT: 004

Cunningham 86	Johnson 61	Meadows	Roorda
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ABSENT WITH LEAVE: 012

Bean	Bowman	Dusenberg	Haywood	Hubbard
Johnson 90	Marsh	Rupp	Salva	Stevenson
Wagner	Yaeger			

VACANCIES: 001

HB 114, relating to Kansas City transportation sales tax, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HB 114** was read the third time and passed by the following vote:

AYES: 115

Aull	Baker 25	Bearden	Behnen	Black
Bland	Boykins	Bringer	Brooks	Brown 50
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Corcoran	Cunningham 145	Curls
Darrough	Daus	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	El-Amin
Faith	Fares	Fisher	Franz	Fraser
George	Goodman	Guest	Harris 23	Hobbs
Hoskins	Hughes	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kratky	Kraus	Kuessner
Lager	Lampe	LeVota	Liese	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Nance	Nolte
Oxford	Parker	Parson	Pearce	Pollock
Pratt	Richard	Robb	Robinson	Roorda
Rucker	Salva	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Villa	Vogt	Wallace
Walsh	Wasson	Weter	Whorton	Wildberger
Wilson 119	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 034

Avery	Baker 123	Barnitz	Brown 30	Bruns
Cooper 158	Davis	Day	Emery	Ervin
Flook	Harris 110	Henke	Hunter	Icet

Jackson	Kingery	Lembke	Lipke	Muschany
Myers	Nieves	Page	Phillips	Portwood
Quinn	Rector	Roark	Ruestman	Sander
Stefanick	Viebrock	Wells	Wilson 130	

PRESENT: 002

Cunningham 86 Walton

ABSENT WITH LEAVE: 011

Bean	Bivins	Bowman	Dusenberg	Haywood
Hubbard	Johnson 90	Marsh	Rupp	Wagner
Yaeger				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed Senator Clemens to replace Senator Crowell as conferee on **HCS SS SCS SBs 1 & 130**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 393**, entitled:

An act to repeal sections 355.176, 408.040, 490.715, 508.010, 508.040, 508.070, 508.120, 510.263, 516.105, 537.035, 537.067, 537.090, 538.205, 538.210, 538.220, 538.225, 538.230, and 538.300, RSMo, and to enact in lieu thereof twenty-one new sections relating to claims for damages and the payment thereof.

With Senate Amendment No. 1 to Senate Amendment No. 4, Senate Amendment No. 4, as amended, Senate Amendment No. 1 to Senate Amendment No. 5, Senate Amendment No. 5, as amended, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 9 and Senate Amendment No. 11.

*Senate Amendment No. 1
to
Senate Amendment No. 4*

AMEND Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, Page 1, Line 4, by striking the word “III” and inserting in lieu thereof : “I”.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, Page 21, Section 538.205, Line 23 of said page, by inserting immediately after the word “RSMo,” the following:

“provided such long-term care facility has not been cited for violation of a class III standard under section 198.085, RSMo, in the past three years,”.

Senate Amendment No. 1
to
Senate Amendment No. 5

AMEND Senate Amendment No. 5 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, Line 3, by striking the words “and further amend said” and further amend lines 4 to 7, by striking all of said lines.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, Page 23, Section 538.210, Line 6, by striking the opening and closing brackets; and

Further amend said line by striking the word “two”; and

Further amend said section, Page 24, Line 12, by striking the opening bracket “[“ from said line; and

Further amend Line 23, by striking the closing bracket “]” from said line; and

Further renumber the remaining subsections accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, Page 28, Section 538.228, Line 23, by inserting after the word “treatment” the following:

“to a patient”; and

Further amend said section and page, Line 27, by inserting after the word “that” the following:

“solely”; and

Further amend said section, Page 29, Lines 2 to 9, by striking all of said lines and insert in lieu thereof the following:

“amended, shall not be”; and

Further amend said section and page, Line 10, by striking the word “noneconomic” and inserting in lieu thereof the following:

“civil”; and

Further amend said section and page, Line 13, by inserting after the word “treatment” the following:

“or unless the physician maintained, at the time of treatment, liability insurance coverage for such treatment”; and

Further amend said section and page, Lines 15-17, by striking all of said lines and inserting in lieu thereof the following:

“(2) Is certified in advance of the treatment as being rendered free of charge to the patient, with no compensation from any party or third-party provider, or any attempt to obtain compensation from any third-party provider.

For purposes of this section, a physician covered under the state legal expense fund under section 105.711, RSMo, shall not be construed as maintaining liability insurance coverage under this section.”.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, Page 24, Section 538.210, Line 4, by inserting after the closing bracket “J” the following:

“(1) Such limitation shall also apply to any individual or entity, or their employees or agents that provide, refer, coordinate, consult upon, or arrange for the delivery of health care services to the plaintiff; and

(2) Who is a defendant in a lawsuit brought against a health care provider under this chapter, or who is a defendant in any lawsuit that arises out of the rendering of or the failure to render health care services. Such limitation shall apply to all claims for contribution.

3. No individual or entity whose liability is limited by the provisions of this chapter shall be liable to any plaintiff based on the actions or omissions of any other entity or person who is not an employee of that individual or entity whose liability is limited by the provisions of this chapter.

4.”; and

Further amend the remaining subsections accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, Page 31, Section 3, Line 5, by inserting immediately after said line the following:

"Section 4. In any action against a health care provider for damages for personal injury or death arising out of the rendering of or the failure to render health care services, no person shall qualify as an expert witness on such issue unless at least fifty percent of such person’s professional time within the two-year period preceding the incident giving rise to the action is devoted to actual clinical practice in the same profession in which the defendant is licensed."

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, Page 20, Section 537.067, Lines 2-4, by striking all of the underlined language on said lines and inserting in lieu thereof the following:

“if the defendant is found to bear fifty-one percent or more of fault, then the defendant shall be jointly and severally liable for the amount of the judgment rendered against the defendants. If a defendant is found to bear less than fifty-one percent of fault, then the defendant shall only be responsible for the percentage of the judgment for which the defendant is determined to be responsible by the trier of fact.

2. The defendants shall only be severally liable for the percentage of punitive damages for which fault is attributed to such defendant by the trier of fact.”.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 393, as amended, relating to tort reform, was taken up by Representative Byrd.

Representative Byrd moved that the House refuse to adopt **SS SCS HCS HB 393, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1176 - Special Committee on General Laws

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 5 - Utilities

HCR 6 - Veterans

HCR 7 - Ways and Means

HCR 8 - Retirement

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 268 - Ways and Means

HB 403 - Retirement

HB 424 - Local Government

HB 464 - Special Committee on General Laws

HB 593 - Crime Prevention and Public Safety

HB 605 - Judiciary

HB 621 - Children and Families

HB 672 - Ways and Means

HB 673 - Professional Registration and Licensing

HB 674 - Health Care Policy

HB 675 - Professional Registration and Licensing

HB 685 - Corrections and Public Institutions

HB 686 - Local Government

HB 689 - Local Government

HB 690 - Transportation

HB 691 - Rules

HB 692 - Ways and Means

HB 693 - Judiciary

HB 694 - Children and Families

HB 695 - Children and Families

HB 696 - Health Care Policy

HB 697 - Transportation

HB 698 - Conservation and Natural Resources

HB 699 - Ways and Means

HB 700 - Corrections and Public Institutions

HB 701 - Job Creation and Economic Development

HB 702 - Professional Registration and Licensing
HB 703 - Agriculture Policy
HB 704 - Workforce Development and Workplace Safety
HB 705 - Transportation
HB 708 - Rules
HB 709 - Crime Prevention and Public Safety
HB 711 - Job Creation and Economic Development
HB 712 - Crime Prevention and Public Safety
HB 713 - Ways and Means
HB 714 - Judiciary
HB 715 - Crime Prevention and Public Safety
HB 717 - Insurance Policy
HB 718 - Judiciary
HB 719 - Judiciary
HB 720 - Local Government
HB 721 - Retirement
HB 722 - Retirement
HB 724 - Insurance Policy
HB 725 - Professional Registration and Licensing
HB 726 - Rules
HB 727 - Small Business
HB 728 - Elections
HB 731 - Elections
HB 732 - Local Government
HB 733 - Insurance Policy
HB 734 - Job Creation and Economic Development
HB 735 - Children and Families
HB 738 - Professional Registration and Licensing
HB 743 - Corrections and Public Institutions

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 591 - Transportation

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 3 - Rules

COMMITTEE REPORTS

Committee on Administration and Accounts, Chairman Wright (137) reporting:

Mr. Speaker: Your Committee on Administration and Accounts, to which was referred **HR 1117**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE RESOLUTION NO. 1117

WHEREAS, Section 21.155, RSMo, provides that the House of Representatives may, by resolution, continue in employment such number of efficient employees after any adjournment of a regular session or sine die adjournment of the General Assembly as may be necessary for operation of the House; and

WHEREAS, the House of Representatives will have need for secretarial, administrative, and research, budget, and support staff after the adjournment of the House on May 13, 2005; and

WHEREAS, employees of the House of Representatives are designated and funded in House Bill No. 12, including those employees who may be needed for veto, special, or extraordinary sessions of the House:

NOW, THEREFORE, BE IT RESOLVED that the Missouri House of Representatives, Ninety-third General Assembly, may employ for the period between May 13, 2005, and January 4, 2006, such employees as are necessary to perform the duties of the House, not to exceed that amount authorized pursuant to appropriation. Such employees shall include necessary secretarial, administrative, and research, budget, and support staff personnel appointed by the Speaker whose terms of employment are established by the Committee on Administration and Accounts.

Mr. Speaker: Your Committee on Administration and Accounts, to which was referred **HB 219**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Agriculture Policy, Chairman Myers reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 528**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 563**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 568**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 33**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 455**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 255**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 525**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, obesity among the children of Missouri is at epidemic stages and can lead to poor health conditions and chronic diseases, such as heart disease, stroke, diabetes, and cancer; and

WHEREAS, Medicaid and other health care costs are escalating in Missouri and are significantly impacted by obesity; and

WHEREAS, adequate physical activity helps children grow, develop, and do well in school; and

WHEREAS, school-based health education and physical education programs teach young people to acquire an active lifestyle; and

WHEREAS, healthy bodies and minds are major contributors to readiness to learn, to improved school attendance, and to improved performance in sports and other extracurricular activities; and

WHEREAS, the General Assembly needs to identify long-term strategies to reduce the need for public assistance programs and to lower health care costs related to chronic diseases and poor health:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby supports implementation of school

policies that ensure a healthy environment in our schools by increasing the physical education requirements for kindergarten through twelfth grade. This requirement would ensure daily physical education for kindergarten through eighth grade and increase the high school requirement to a minimum of two credits; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Director of the Missouri Department of Elementary and Secondary Education and that the Director of the Department of Elementary and Secondary Education distribute a copy to every school district in Missouri.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 258**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 276**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 539**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 394**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 628**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 630**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 180**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 395**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 450**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 577**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 600**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Smith (118) reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 261**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 323**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 334**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 443**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 606**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Senior Citizen Advocacy, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Senior Citizen Advocacy, to which was referred **HB 649**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Senior Citizen Advocacy, to which was referred **HB 681**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 321**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 69**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 177**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 231**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 232**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 388**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 402**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 456**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 474**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 486**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 508**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 515**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 576**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 596**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 638**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 678**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 684**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 47, HCS HBs 163, 213 & 216 and HB 592**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 23, introduced by Representatives Emery, Rector, Bivins, Hunter, Phillips, Stevenson, Faith, Sander, Threlkeld, Schlottach, Wasson, Kraus, Kelly, Nieves, Davis, May, Black, McGhee, Wallace, Kingery, Day, Wright (137), Roark, Richard, Bivins, Nance, Chinn, Wood, Cooper (155), Nolte, Wilson (119), Guest, Dempsey, Moore, Pollock, Sater, Fisher, Cooper (158), Wright (159), Lembke, Ervin, Parker, Icet, Baker (123), Smith (14), Weter, Jones, Avery, Wells, Dougherty, Selby, Myers,

Dethrow, Self, Bearden, Hobbs, Tilley, Schad, Smith (118), Parson, Ruestman, Swinger, Cunningham (145), Jackson, Brown (30), Munzlinger, Quinn, Kratky, Muschany, Robb, Denison and Wilson (130), relating to impeachment trials.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 763, introduced by Representatives Kuessner, Jetton, Barnitz and Dethrow, relating to the establishment and authorization of the positions of drug court commissioner and drug court administrator in the forty-second judicial circuit.

HB 764, introduced by Representative Byrd, relating to disqualification of judges.

HB 765, introduced by Representatives George and Walsh, relating to the designation of a certain highway.

HB 766, introduced by Representatives Lampe, Chappelle-Nadal, Oxford, Aull, Brown (50), Casey, Roorda, Meadows, Storch, Low (39), Hughes, Baker (25), Rucker, Robinson, Swinger and Bowman, relating to the designation of a memorial highway.

HB 767, introduced by Representative Jolly, relating to concealed carry endorsements.

HB 768, introduced by Representative Fraser, relating to mercury emission.

HB 769, introduced by Representative Page, relating to school bus seat belts.

HB 770, introduced by Representatives Schneider, Johnson (47), Faith, Deeken, Smith (118), Dempsey, Jones, Moore, Self, Denison, Bruns, Meiners, Walsh, Bivins, Meadows, George, McGhee, Nolte, Wallace, Richard, Parker, Chinn, Nance, Black, Ervin, Byrd, Rector, Wright (159), Kraus, Viebrock, Salva, Brown (50), Darrough and Corcoran, relating to medical and laboratory test results.

HB 771, introduced by Representatives Baker (123), Bearden, Corcoran, Icet, Swinger, Pearce, Kingery and Dempsey, relating to education.

HB 772, introduced by Representatives Kuessner, Henke, Swinger, Robinson and Witte, to authorize the governor to convey land owned by the state to the City of Pilot Knob.

HB 773, introduced by Representatives Harris (23), Bringer, Wagner, Liese, Darrough, Selby, Harris (110), Baker (25), Page, Low (39), Wildberger, Yaeger, Swinger, Meadows, Jolly, Walton and Witte, relating to post-arrest release.

HB 774, introduced by Representatives Storch, Oxford, Low (39), Hubbard, Baker (25), Boykins, Fraser, Jolly, Zweifel, Wright-Jones, Johnson (61) and Donnelly, relating solely to the creation of an earned income tax credit.

HB 775, introduced by Representatives Parker, Kraus, Sander, Smith (118), Schneider, Chappelle-Nadal, Shoemyer, Robb, Davis, Pearce, Deeken and Stevenson, relating to gaming.

HB 776, introduced by Representative Dixon, relating to enhanced punishment for certain crimes.

HB 777, introduced by Representative Schlottach, relating to the enforcement of certain federal or state orders prohibiting the operation of commercial motor vehicles.

WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

TO: Steve Davis
FROM: Mark Wright
DATE: March 10, 2005

Mr. Clerk, I respectfully request that **House Concurrent Resolution No. 26** be withdrawn. Thank you for your assistance in this matter.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 4:00 p.m., Monday, March 14, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Melba Curls, District 41, hereby state and affirm that my vote as recorded on the motion to third read and pass House Bill No. 100 in the House Journal for Thursday, March 10, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of March 2005.

/s/ Melba Curls
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

Correct House Journal, Thirty-sixth Day, Wednesday, March 9, 2005, Page 555, Line 18, by deleting the word “it” and inserting in lieu thereof the words, “the House Committee Substitute”.

Page 560, Line 26, by deleting the numeral “764” and inserting in lieu thereof the numeral “754”.

COMMITTEE MEETINGS

BUDGET

Tuesday, March 15, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HJR 12

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 4.

Public hearing to be held on: HB 661

Executive session will be held on: HB 491

ELECTIONS

Tuesday, March 15, 2005, 6:00 p.m. Hearing Room 5.

Executive session will precede the hearing.

Public hearings to be held on: HJR 14, HJR 7

FINANCIAL INSTITUTIONS

Tuesday, March 15, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 647, HB 707

HEALTH CARE POLICY

Monday, March 14, 2005, House Chamber south side gallery upon afternoon adjournment.

Executive session.

HIGHER EDUCATION

Tuesday, March 15, 2005, 12:00 p.m. Hearing Room 4.

Executive session.

Public hearing to be held on: HB 530

JOINT COMMITTEE ON GAMING AND WAGERING

Wednesday, March 16, 2005, 9:00 a.m. Hearing Room 4.

Elections of Officers.

RULES

Monday, March 14, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Committee will recess and continue after adjournment if needed. AMENDED

Public hearings to be held on: HCS HB 108, HCS HB 362, HCS HB 422,

HCS HB 631, HB 236, HB 453, HCS HB 531, HB 280, HCS HB 462 & 463,

HB 118, HCS HB 513, HB 487, HB 618, HB 43, HB 53, HB 155, SCR 3

SPECIAL COMMITTEE ON URBAN ISSUES

Monday, March 14, 2005, 6:00 p.m. Location to be announced.

Executive session will be held on: HB 639

WAYS AND MEANS

Monday, March 14, 2005, Hearing Room 4 upon evening adjournment.

Executive session will be held on: HB 64, HB 222

HOUSE CALENDAR

THIRTY-EIGHTH DAY, MONDAY, MARCH 14, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 23

HOUSE BILLS FOR SECOND READING

HB 763 through HB 777

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 348 - Pearce
- 2 HCS HB 58 - Johnson (47)
- 3 HB 344 - Baker (123)
- 4 HB 376 - Guest
- 5 HB 564 - Boykins
- 6 HCS HB 437 - Jackson
- 7 HCS HB 208 - Icet

HOUSE BILLS FOR PERFECTION - CONSENT

(3/07/05)

- 1 HB 269 - Bruns
- 2 HB 361 - Lipke
- 3 HCS HB 580 - Byrd

(3/08/05)

- 1 HB 243 - May
- 2 HB 397 - Henke
- 3 HB 423 - Kuessner
- 4 HB 431 - Wright (137)
- 5 HB 567 - Stevenson

(3/10/05)

- 1 HCS HB 119 - Jones
- 2 HCS HB 215 - Pearce
- 3 HB 343, HCA 1 - Baker (123)
- 4 HB 345 - Baker (123)
- 5 HB 413 - Hubbard
- 6 HB 445 - Guest
- 7 HB 479 - Ervin
- 8 HB 524 - May

(3/14/05)

- 1 HB 69 - Rupp
- 2 HB 402 - Schaaf
- 3 HB 456 - Kuessner
- 4 HCS HB 474 - Yates
- 5 HB 486 - Bruns
- 6 HCS HB 508 - Pratt
- 7 HCS HB 515 - Wood
- 8 HB 596 - Schaaf
- 9 HB 638 - Cunningham (86)
- 10 HB 678 - Byrd
- 11 HB 684 - Lipke

HOUSE BILL FOR THIRD READING

HCS HB 174 - Wood

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 40, E.C. - Tilley
- 2 HCS HB 56 - Threlkeld
- 3 HB 127 - Bivins
- 4 HCS HB 47, E.C. - Brown (30)
- 5 HCS HB 163, 213 & 216, E.C. - Smith (14)
- 6 HB 592 - Cooper (120)

BILL CARRYING REQUEST MESSAGE

SS SCS HCS HB 393, as amended, (request Senate recede/grant conference) - Byrd

BILL IN CONFERENCE

HCS SS SCS SB 1 & 130, as amended - Hunter

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTY-EIGHTH DAY, MONDAY, MARCH 14, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You are our light and our salvation – whom should we fear?

You are the stronghold of our life – of whom should we be afraid?

We do not fear the week ahead and the immense decisions to be made. We do not fear the specter of unfulfilled promises. We do not fear the prospect of making tough calls on tough issues. We do not fear the wide-ranging voices of dissent. But we do indeed have a wholesome dread of displeasing You.

One thing we do ask of You Lord, grant us a hearing heart that we might discern between wisdom and foolishness. Guide us in the way of truth and keep us from harm.

Now may the grace of our Lord rest and abide with us all,

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Charlotte Franks.

The Journal of the thirty-seventh day was approved as printed.

HOUSE RESOLUTION

Representative Nance offered House Resolution No. 1239.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1210 - Representative Witte
House Resolution No. 1211 - Representative Brown (30)
House Resolution No. 1212 - Representative Storch
House Resolution No. 1213 - Representative Dethrow
House Resolution No. 1214
through
House Resolution No. 1216 - Representative Munzlinger

House Resolution No. 1217 - Representative Robb
House Resolution No. 1218
through
House Resolution No. 1223 - Representative Cunningham (145)
House Resolution No. 1224
through
House Resolution No. 1234 - Representative Robinson
House Resolution No. 1235 - Representative Witte
House Resolution No. 1236
and
House Resolution No. 1237 - Representative Lager
House Resolution No. 1238 - Representative Lampe
House Resolution No. 1240 - Representative Lager
House Resolution No. 1241
through
House Resolution No. 1243 - Representative Brown (30)
House Resolution No. 1244
and
House Resolution No. 1245 - Representative Deeken
House Resolution No. 1246 - Representative Meadows
House Resolution No. 1247 - Representative Black
House Resolution No. 1248 - Representatives Storch and Bowman

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 23 was read the second time.

SECOND READING OF HOUSE BILLS

HB 763 through **HB 777** were read the second time.

THIRD READING OF HOUSE BILL

HCS HB 174, relating to real estate licenses, was taken up by Representative Wood.

On motion of Representative Wood, **HCS HB 174** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher

Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bland	Brooks	Haywood	Johnson 61
Phillips				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 58, relating to political subdivisions, was taken up by Representative Johnson (47).

Representative Johnson (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 58, Section 247.060, Page 18, Lines 23 through 29, by deleting all of said lines; and

Further amend said substitute, Section 250.140, Page 19, Line 19, by inserting immediately after all of said line the following:

“The provisions of this subsection shall become effective on February 1, 2006.”; and

Further amend said bill, Section 1, Page 25, Line 6, by inserting immediately after all of said line the following:

“This section shall not apply to funds which state law requires a county office to create.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 58, Page 1, Line 12, by adding after the word **“create”** the following:

"or if such fund is approved by the qualified voters of the county."

Speaker Jetton assumed the Chair.

On motion of Representative Cooper (120), **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Johnson (47), **House Amendment No. 1, as amended**, was adopted.

Representative Johnson (47) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 58, Section 2, Page 26, Line 8 of said section, by inserting the following after all of said line:

"Section 3. Notwithstanding any other section to the contrary, when any city, town or village in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants that:

**(1) Has previously taken over the operation of a rural water district; and
(2) Supplies water services outside its corporate boundaries; and
(3) Undertakes to supply sewer services in or immediately adjacent to such area already receiving water services outside its corporate boundaries;**

then premises receiving water services in or immediately adjacent to such area must be allowed to receive sewer services at the same rate charged for such services within the corporate boundaries without first being required to annex into the city, town or village.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) assumed the Chair.

On motion of Representative Johnson (47), **House Amendment No. 2** was adopted.

Representative Emery offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 58, Page 3, Section 49.093, Line 20, by inserting after all of said line the following:

"49.272. The county commission of any county of the first classification without a charter form of government and with more than one hundred thirty-five thousand four hundred but less than one hundred thirty-five thousand five hundred inhabitants, and in any county of the first classification without a charter form of government having a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants, **any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants, any county of the first classification with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants,** and any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants, which has an appointed county counselor and which adopts or has adopted rules, regulations or ordinances under authority of a statute which prescribes or authorizes a violation of such rules, regulations or ordinances to be a misdemeanor punishable as provided by law, may by rule, regulation or ordinance impose a civil fine not to exceed one thousand dollars for each violation. Any fines imposed and collected under such rules, regulations or ordinances shall be payable to the county general fund to be used to pay for the cost of enforcement of such rules, regulations or ordinances."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Emery, **House Amendment No. 3** was adopted.

Representative Smith (14) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 58, Page 8, Section 59.044, Line 4, by inserting after said line the following:

"66.411. No county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants shall initiate, perform, or pursue any act, action, or proceeding to consolidate, dissolve, eliminate, merge, or terminate a municipal fire protection department of any home rule city with more than sixty thousand three hundred but fewer than sixty thousand four hundred inhabitants."; and

Further amend said bill, Page 20, Section 278.240, Line 30, by inserting after said line the following:

"321.120. 1. The decree of incorporation shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree, and until it has been assented to by a majority vote of the voters of the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of incorporating the district, and to select three or five persons to act as the first board of directors, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall there be incorporated a fire protection district?

☐ YES

☐ NO

3. The proposition of electing the first board of directors or the election of subsequent directors may be submitted on a separate ballot or on the same ballot which contains any other proposition of the fire protection district. The ballot to be used for the election of a director or directors shall be substantially in the following form:

OFFICIAL BALLOT

Instruction to voters:

Place a cross (X) mark in the square opposite the name of the candidate or candidates you favor. (Here state the number of directors to be elected and their term of office.)

ELECTION

(Here insert name of district.) Fire Protection District. (Here insert date of election.)

FOR BOARD OF DIRECTORS

..... ☐
 ☐
 ☐

4. If a majority of the voters voting on the proposition or propositions voted in favor of the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be void and of no effect. If the court enters an order declaring the decree of incorporation to be final and conclusive, it shall at the same time designate the first board of directors of the district who have been elected by the voters voting thereon. If a board of three members is elected, the person receiving the third highest number of votes shall hold office for a term of two years, the person receiving the second highest number of votes shall hold office for a term of four years, and the person receiving the highest number of votes shall hold office for a term of six years from the date of the election of the first board of directors and until their successors are duly elected and qualified. **For any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but fewer than thirty-nine thousand inhabitants, any county with a charter form of government and with more than one million inhabitants, and any county of the first classification with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants, any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified. Any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified.** If a board of five members is elected, the person who received the highest number of votes shall hold office for a term of six years, the persons who received the second and third highest numbers of votes shall hold office for terms of four years and the persons who received the fourth and fifth highest numbers of votes shall hold office for terms of two years and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of [six] **four** years and until their successors are duly elected and qualified. The court shall at the same time enter an order of record declaring the result of the election on the proposition, if any, to incur bonded indebtedness.

5. Notwithstanding the provisions of subsections 1 to 4 of this section to the contrary, upon a motion by the board of directors in districts where there are three-member boards, and upon approval by the voters in the district, the number of directors may be increased to five, except that in any county of the first classification with a population of more than nine hundred thousand inhabitants such increase in the number of directors shall apply only in the event of a consolidation of existing districts. The ballot to be used for the approval of the voters to increase the number of members on the board of directors of the fire protection district shall be substantially in the following form:

Shall the number of members of the board of directors of the (Insert name of district) Fire Protection District be increased to five members?

☐ YES

☐ NO

If a majority of the voters voting on the proposition vote in favor of the proposition then at the next election of board members after the voters vote to increase the number of directors, the voters shall select two persons to act in addition to the existing three directors as the board of directors. The court which entered the order declaring the decree of incorporation to be final shall designate the additional board of directors who have been elected by the voters voting thereon as follows: the one receiving the second highest number of votes to hold office for a term of four years, and the one receiving the highest number of votes to hold office for a term of six years from the date of the election of such additional board of directors and until their successors are duly elected and qualified. [Thereafter, members of the board shall be elected to serve terms of six years and until their successors are] **For any county with a charter form of**

government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than thirty-eight thousand nine hundred but fewer than thirty-nine thousand inhabitants, any county with a charter form of government and with more than one million inhabitants, and any county of the first classification with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants, any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified. Members of the board elected after August 28, 2005, shall serve terms of four years and until their successors are duly elected and qualified; however, any member serving a six-year term as of August 28, 2005, shall serve the remainder of the six-year term and until his or her successor is duly elected and qualified.

6. Members of the board of directors in office on the date of an election pursuant to subsection 5 of this section to elect additional members to the board of directors shall serve the term to which they were elected or appointed and until their successors are elected and qualified.

321.190. Each member of the board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall not be paid for attending more than two in any calendar month, except that in a county of the first class having a charter form of government, he shall not be paid for attending more than four in any calendar month. **However, no board member shall be paid more than one attendance fee if such member attends more than one board meeting in a calendar week.** In addition, the chairman of the board of directors may receive fifty dollars for attending each regularly or specially called board meeting, but shall not be paid the additional fee for attending more than two meetings in any calendar month. Each member of the board shall be reimbursed for his actual expenditures in the performance of his duties on behalf of the district. The secretary and the treasurer, if members of the board of directors, may each receive such additional compensation for the performance of their respective duties as secretary and treasurer as the board shall deem reasonable and necessary, not to exceed one thousand dollars per year. The circuit court having jurisdiction over the district shall have power to remove directors or any of them for good cause shown upon a petition, notice and hearing.”; and

Further amend said bill, Page 20, Section 321.322, Line 3, by deleting the word “fifty” and inserting the words “sixty five”; and

Further amend said bill, Page 22, Section 321.322, Line 61, by inserting after said line the following:

“321.603. In addition to the compensation provided pursuant to section 321.190 for fire protection districts located in a county of the first classification with a charter form of government, each member of any such fire protection district board may receive an attendance fee not to exceed one hundred dollars for attending a board meeting conducted pursuant to chapter 610, RSMo, but such board member shall not be paid for attending more than four such meetings in any calendar month. **However, no board member shall be paid more than one attendance fee if such member attends more than one meeting conducted under chapter 610, RSMo, in a calendar week.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bearden offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 58, Page 1, Lines 1 through 7, by deleting all of said lines.

On motion of Representative Bearden, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Smith (14), **House Amendment No. 4, as amended**, was adopted.

Representative Pratt offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 58, Page 23, Section 573.505, Line 5, by deleting the phrase "[ten] **five**" and inserting in lieu thereof the word "ten"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Skaggs offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 58, Page 1, Section 573.505, Line 3, by deleting the word "ten" and inserting in lieu thereof the word "twenty"; and

Further amend said title enacting clause and intersectional references accordingly.

Representative Skaggs moved that **House Amendment No. 1 to House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 043

Bowman	Bringer	Brown 30	Brown 50	Byrd
Chappelle-Nadal	Casey	Darrough	Day	Denison
Donnelly	Fisher	Franz	Fraser	Harris 110
Harris 23	Henke	Johnson 90	Jolly	Kuessner
LeVota	Liese	Low 39	McGhee	Meiners
Oxford	Portwood	Pratt	Rector	Robinson
Roorda	Rucker	Selby	Shoemyer	Skaggs
Stevenson	Storch	Walton	Wildberger	Witte
Wright-Jones	Yaeger	Zweifel		

NOES: 109

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bruns	Burnett	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	George	Goodman
Guest	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Jones
Kelly	Kingery	Kratky	Kraus	Lager
Lampe	Lembke	Lipke	Loehner	Lowe 44
Marsh	May	Moore	Munzlinger	Muschany

Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Pollock	Quinn	Richard
Roark	Robb	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Smith 118	Smith 14
Spreng	Stefanick	St. Onge	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Young	Mr Speaker	

PRESENT: 004

Brooks	Fares	Meadows	Wright 137
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ABSENT WITH LEAVE: 006

Bean	Flook	Haywood	Johnson 61	Page
Phillips				

VACANCIES: 001

On motion of Representative Pratt, **House Amendment No. 5** was adopted.

Speaker Pro Tem Bearden resumed the Chair.

Representative Kelly offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 58, Page 18, Section 247.180, Line 10, by inserting after said line the following:

“249.1150. 1. There is hereby created within any county of the third classification without a township form of government and with more than thirty-four thousand but less than thirty-four thousand one hundred inhabitants, any county of the second classification without a township form of government and with more than fifty-four thousand two hundred but less than fifty-four thousand three hundred inhabitants, [any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but less than thirteen thousand one hundred seventy-five inhabitants,] any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants, [any county of the third classification without a township form of government and with more than nine thousand four hundred fifty but less than nine thousand five hundred fifty inhabitants,] any county of the third classification without a township form of government and with more than twenty-eight thousand six hundred but less than twenty-eight thousand seven hundred inhabitants, any county of the first classification with more than thirty-nine thousand seven hundred but less than thirty-nine thousand eight hundred inhabitants, **and** any county of the third classification without a township form of government and with more than thirty-one thousand but less than thirty-one thousand one hundred inhabitants, [and any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but less than eighteen thousand inhabitants,] the Upper White River Basin Watershed Improvement District. The watershed improvement district is authorized to own, install, operate, and maintain decentralized or individual on-site wastewater treatment plants. The watershed improvement district created under this section shall be a body corporate and a political subdivision of the state of Missouri, shall be capable of suing and being sued in contract in its corporate name, and shall be capable of holding such real and personal property necessary for corporate purposes. The district shall implement procedures to regulate the area within the district and to educate property owners within the district about the requirements imposed by the district.

2. The watershed improvement district created under this section shall have the power to borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, to issue bonds and use any one or more lawful funding methods the district may obtain for its purposes at such rates of interest as the district may determine. Any bonds, notes, and other obligations issued or delivered by the district may be secured by mortgage, pledge, or deed of trust of any or all of the property within the district. Every issue of such bonds, notes, or other obligations shall be payable out of property and revenues of the district and may be further secured by other property within the district, which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds, notes, or other obligations shall be authorized by resolution of the district board, and shall bear such date or dates, and shall mature at such time or times, but not in excess of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide, notwithstanding section 108.170, RSMo. The bonds, notes, or other obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

3. The county commission of any county located within the watershed improvement district may authorize individual properties to be served by the district by adoption of a resolution or upon the filing of a petition signed by at least twenty percent of the property owners of the proposed area. The resolution or petition shall describe generally the size and location of the proposed area.

4. In the event that any property within the watershed improvement district proposed under this section lies within or is serviced by any existing sewer district formed under this chapter, chapter 204, or chapter 250, RSMo, the property shall not become part of the watershed improvement district formed under this section unless the existing sewer district agrees to refrain from providing service or to discontinue service to the property. No property shall become part of the watershed district until the owner of that property has paid in full all outstanding costs owed to an existing sewer district formed under this chapter, chapter 204, or chapter 250, RSMo.

5. Upon the creation of the watershed improvement district as authorized by this section, a board of trustees for the district consisting of nine members shall be appointed. The governing body of each county shall appoint one member to serve on the board. No trustee shall reside in the same county as another trustee. Of the initial trustees appointed, five shall serve terms of one year, and four shall serve terms of two years, as determined by lot. After the initial appointments of the trustees, the successor trustees shall reside in the same county as the prior trustee and be elected by the resident property owners of their county within the district. Each trustee may be elected to no more than five consecutive two-year terms. Vacancies shall be filled by the board. Each trustee shall serve until a successor is elected and sworn. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership. The board shall enter into contracts with any person or entity for the maintenance, administrative, or support work required to administer the district. The board may charge reasonable fees and submit proposals to levy and impose property taxes to fund the operation of the district to the qualified voters in the district, but such proposals shall not become effective unless a majority of the qualified voters in the district voting on the proposals approve the proposed levy and rate of tax. The board may adopt resolutions necessary to the operation of the district.

6. No service shall be initiated to any property lying within the watershed improvement district created under this section unless the property owner elects to have the service provided by the district.

7. Any on-site wastewater treatment system installed on any property that participates in the watershed improvement district formed under this section shall meet all applicable standards for such on-site wastewater treatment systems under sections 701.025 to 701.059, RSMo, and as required by rules or regulations promulgated by the board of trustees and the appropriate state agencies.

8. Property owners participating in the watershed improvement district formed under this section shall be required as a condition of continued participation to have a maintenance plan approved by the watershed improvement district for the on-site wastewater treatment systems on their properties. Such property owners shall also execute a utilities easement to allow the district access to the system for maintenance purposes and inspections. The property owner shall provide satisfactory proof that periodic maintenance is performed on the sewage system. At a minimum the system shall be installed and maintained according to the manufacturer's recommendations. The level of satisfactory proof required and the frequency of periodic proof shall be determined by the board of trustees.

9. A district established under this section may, at a general or primary election, submit to the qualified voters within the district boundaries a real property tax that shall not exceed five cents per one hundred dollars assessed valuation to fund the operation of the district. The ballot of submission shall be in substantially the following form:

Shall the (name of district) impose a real property tax within the district at a rate of not more than (insert amount) dollars per hundred dollars of assessed valuation to fund the operation of the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in each county that is part of the district favor the proposal, then the real property tax shall become effective in the district on the first day of the year following the year of the election. If a majority of the votes cast in each county that is a part of the district oppose the proposal, then that county shall not impose the real property tax authorized in this section until after the county governing body has submitted another such real property tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a real property tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters under this section sooner than twelve months from the date of the last proposal submitted under this section.

10. The real property tax authorized by this section is in addition to all other real property taxes allowed by law.

11. Once the real property tax authorized by this section is abolished or terminated by any means, all funds remaining in the trust fund shall be used solely for the purposes approved in the ballot question authorizing the tax. The tax shall not be abolished or terminated while the district has any financing or other obligations outstanding. Any funds in the trust fund which are not needed for current expenditures may be invested by the district in the securities described in subdivisions (1) to (12) of subsection 1 of section 30.270, RSMo, or repurchase agreements secured by such securities.

249.1152. 1. Upon the adoption of a resolution by the governing body of any county of the third classification located within any watershed in this state, or upon the filing of a petition by the property owners residing within the portion of the watershed that is located within the county's boundaries, a watershed improvement district may be proposed as authorized in this section. The resolution or the petition shall contain the following information:

(1) The specific description of the watershed, which shall be identical to any United States geological survey designated watershed, and the proposed district within the county including a map illustrating the boundaries of both the watershed and the proposed district;

(2) The name of the proposed district;

(3) If the creation of the district is proposed by petition filed by property owners, the name and residence of each petitioner; and

(4) The purpose of the district.

2. Upon the adoption of a resolution proposing the creation of the district under this section, the governing body of the county shall, by order or ordinance, provide a hearing on the creation of the district. The order or ordinance providing a hearing on the creation of such a district shall contain the following information:

(1) A description of the boundaries of the proposed district; and

(2) The time and place of a hearing to be held to consider establishment of the proposed district.

3. Whenever a hearing is held as provided by this section, the governing body of the county approving the proposed district shall:

(1) Publish notice of the hearing on two separate occasions in at least one newspaper of general circulation in each county located within the proposed district, with the first publication to occur not more than thirty days before the hearing, and the second publication to occur not more than fifteen days or less than ten days before the hearing. The purpose of the district shall be published in the hearing notice;

(2) Hear all protests and receive evidence for or against the establishment of the proposed district; and

(3) Rule upon all protests, which determinations shall be final.

4. Following the hearing, if the governing body of any county located within the proposed district decides to establish the proposed district, the county shall adopt an order to that effect. If the governing body of any county located within the proposed district receives a petition signed by at least twenty percent of the property owners in the proposed district requesting establishment of the proposed district then the county shall adopt an order to that effect. An order adopted under this subsection shall contain the following:

(1) The description of the boundaries of the watershed, which shall be identical to any United States geological survey designated watershed, and the boundaries of the district within the county;

(2) A statement that a watershed improvement district has been established;

(3) The name of the district;

(4) A declaration that the district is a political subdivision of the state; and

(5) The purpose of the district.

5. A district established under this section may, at a general or primary election, submit to the qualified voters within the district boundaries a real property tax that shall not exceed five cents per one hundred dollars assessed valuation to fund the operation of the district. The ballot of submission shall be in substantially the following form:

Shall the (name of district) impose a real property tax within the district at a rate of not more than (insert amount) dollars per hundred dollars of assessed valuation to fund the operation of the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in each county that is part of the district favor the proposal, then the real property tax shall become effective in the district on the first day of the year following the year of the election. If a majority of the votes cast in each county that is a part of the district oppose the proposal, then that county shall not impose the real property tax authorized in this section until after the county governing body has submitted another such real property tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a real property tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters under this section sooner than twelve months from the date of the last proposal submitted under this section.

6. The real property tax authorized by this section is in addition to all other real property taxes allowed by law.

7. Once the real property tax authorized by this section is abolished or terminated by any means, all funds remaining in the trust fund shall be used solely for the purposes approved in the ballot question authorizing the tax. The tax shall not be abolished or terminated while the district has any financing or other obligations outstanding. Any funds in the trust fund which are not needed for current expenditures may be invested by the district in the securities described in subdivisions (1) to (12) of subsection 1 of section 30.270, RSMo, or repurchase agreements secured by such securities.

8. There is hereby created a board of trustees to administer any district created and the expenditure of revenue generated under this section. The board shall consist of at least three but not more than ten individuals from the district. The board shall be appointed by the governing body of each county in the district. The membership of the board shall to the extent practicable be in proportion to the number of people living in the watershed in each county. Each county located within the district shall be represented on the board by at least one trustee. Of the initial trustees appointed from each county, a majority shall serve terms of one year, and the remainder shall serve terms of two years, as determined by lot. After the initial appointments of the trustees, the trustees shall be elected by the property owners within the district. Each trustee may be elected to no more than five consecutive two-year terms. Vacancies shall be filled by the board. Each trustee shall serve until a successor is elected and sworn. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership.

9. A watershed improvement district created under this section is authorized to own, install, operate, and maintain decentralized or individual on-site wastewater treatment plants. A watershed improvement district created under this section shall be a body corporate and a political subdivision of the state of Missouri, shall be capable of suing and being sued in contract in its corporate name, and shall be capable of holding such real and personal property necessary for corporate purposes. The district shall implement procedures to regulate the area within and consistent with the purpose of the district and to educate property owners about the requirements imposed by the district.

10. A watershed improvement district created under this section shall have the power to borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, to issue bonds and use any one or more lawful funding methods the district may obtain for its purposes at such rates of interest as the district may determine. Any bonds, notes, and other obligations issued or delivered by the district may be secured by mortgage, pledge, or deed of trust of any or all of the property within the district. Every issue of such bonds, notes, or other obligations shall be payable out of property and revenues of the district and may be further secured by other property within the district, which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds, notes, or other obligations shall be authorized by resolution of the district board, and shall bear such date or dates, and shall mature at such time or times, but not in excess of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide, notwithstanding section 108.170, RSMo. The bonds, notes, or

other obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

11. The county commission of any county located within a watershed improvement district may authorize individual properties to be served by the district by adoption of a resolution or upon the filing of a petition signed by at least twenty percent of the property owners of the proposed area. The resolution or petition shall describe generally the size and location of the proposed area.

12. In the event that any property within a watershed improvement district proposed under this section lies within or is serviced by any existing sewer district formed under this chapter, chapter 204, or chapter 250, RSMo, the property shall not become part of the watershed improvement district formed under this section unless the existing sewer district agrees to refrain from providing service or to discontinue service to the property. No property shall become part of the watershed district until the owner of that property has paid in full all outstanding costs owed to an existing sewer district formed under this chapter, chapter 204, or chapter 250, RSMo.

13. No service shall be initiated to any property lying within the watershed improvement district created under this section unless the property owner elects to have the service provided by the district.

14. Any on-site wastewater treatment systems installed on any property that participates in the watershed improvement district formed under this section shall meet all applicable standards for such on-site wastewater treatment systems under sections 701.025 to 701.059, RSMo, and as required by rules or regulations promulgated by the appropriate state agencies.

15. Property owners participating in the watershed improvement district formed under this section shall be required as a condition of continued participation to have a maintenance plan approved by the watershed improvement district for the on-site wastewater treatment systems on their properties. Such property owners shall also execute a utilities easement to allow the district access to the system for maintenance purposes and inspections. The property owner shall provide satisfactory proof that periodic maintenance is performed on the sewage system. The level of satisfactory proof required and the frequency of periodic proof shall be determined by the board of trustees.

16. In the event that the district is dissolved or terminated by any means, the governing bodies of the counties in the district shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing bodies of the counties, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the county treasurer of each county in the district and take receipt for all remaining moneys in amounts based on the ratio the levy of each county bears to the total levy for the district in the previous three years or since the establishment of the district, whichever time period is shorter. Upon payment to the county treasurers, the trustee shall deliver to the clerk of the governing body of any county in the district all books, papers, records, and deeds belonging to the dissolved district.

17. For a watershed improvement district located in any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but fewer than thirteen thousand one hundred seventy-five inhabitants, any county of the third classification without a township form of government and with more than nine thousand four hundred fifty but fewer than nine thousand five hundred fifty inhabitants, or any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but fewer than eighteen thousand inhabitants, upon the filing of a petition signed by at least twenty percent of the qualified voters of the county requesting removal of the county from a watershed improvement district, the governing body of such county shall at the next general or primary election submit the question to the qualified voters of the county. The ballot submission shall be in substantially the following form:

Shall County be removed from the watershed improvement district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in the county favor the proposal submitted under this subsection, the county shall be removed from the district. If a majority of the votes cast in the county oppose the proposal submitted under this subsection, the county shall not be removed from the district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly, **House Amendment No. 6** was adopted by the following vote:

AYES: 120

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Black	Bland	Bowman	Boykins
Bringer	Brown 30	Brown 50	Bruns	Byrd
Chappelle-Nadal	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fisher	Flook	Franz
Fraser	Harris 110	Henke	Hobbs	Hoskins
Hubbard	Hughes	Icet	Jackson	Johnson 90
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lembke	LeVota	Lipke
Loehner	McGhee	Meadows	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parker	Parson	Pearce	Pollock
Portwood	Pratt	Quinn	Rector	Roark
Robb	Robinson	Roorda	Rucker	Rupp
Salva	Sander	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Villa
Wagner	Wallace	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wright-Jones	Wright 159	Yates	Zweifel	Mr Speaker

NOES: 032

Baker 25	Bivins	Burnett	Chinn	Denison
Dixon	Goodman	Guest	Harris 23	Hunter
Johnson 47	Jolly	Lampe	Liese	Low 39
Lowe 44	May	Meiners	Richard	Ruestman
Sater	Smith 118	Smith 14	Stevenson	Viebrock
Vogt	Wasson	Wilson 130	Wood	Wright 137
Yaeger	Young			

PRESENT: 004

Brooks	Curls	Fares	George
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ABSENT WITH LEAVE: 006

Bean	Haywood	Johnson 61	Marsh	Page
Phillips				

VACANCIES: 001

Representative Pollock offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 58, Page 8, Section 59.044, Line 4, by inserting after all of said line the following:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1100 and 67.1303. The governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the

account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects;

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(1) The economic development tax board established by a city and shall consist of five members, to be appointed as follows:

- (a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;
- (b) Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;
- (c) One member shall be appointed by the governing body of the county in which the city is located.

(2) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

- (a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;
- (b) Four members shall be appointed by the governing body of the county; and
- (c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall

hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including, but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the department of economic development shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the

qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 7** was adopted.

HCS HB 58, as amended, was laid over.

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HJR 16**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 232**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 43**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 53**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 108**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 155**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 236**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 280**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 342**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 362**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 394**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 422**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 448**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 450**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 453**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 462 & 463**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 487**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 513**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 531**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 618**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 631**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 269** and **HB 361**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 778, introduced by Representative LeVota, relating to Jackson county official term limits.

HB 779, introduced by Representatives Robb, Wells, Flook, Lowe (44), Rucker, Baker (25), Bearden and Sutherland, relating to new market tax credits.

HB 780, introduced by Representative Pratt, relating to telecommunications service rates.

HB 781, introduced by Representative Pratt, relating to school police officers.

HB 782, introduced by Representative Skaggs, relating to the housing development commission.

HB 783, introduced by Representative Tilley, relating to naturopathic medicine.

HB 784, introduced by Representatives Meadows, Roorda, Casey, Salva, Wildberger, Johnson (47), Pratt, St. Onge, Zweifel, Wagner, Walsh, Kuessner, Corcoran, Schoemehl, Kratky, Page, Henke, Liese, Darrough, Bringer, Baker (25), Swinger, Johnson (90), Harris (110), Lampe, Yaeger and Aull, relating to display of flags on September eleventh.

HB 785, introduced by Representatives Meadows, Yaeger, Zweifel, Walsh, Corcoran, Schoemehl, Kratky, Darrough, Wildberger, Wagner, Lowe (44), Young, Salva, Jolly, Spreng, George, Liese,

Low (39), LeVota, Fraser, Roorda, Casey, Oxford, Brown (50), Storch and Hughes, relating to health care professionals.

HB 786, introduced by Representatives Meadows, Roorda, Wildberger, Salva, Wagner, Selby and Shoemyer, relating to the display of the POW/MIA flag.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 88**, entitled:

An act to repeal section 261.241, RSMo, and to enact in lieu thereof two new sections relating to food inspection.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 237**, entitled:

An act to repeal sections 386.020, 392.200, 392.245, 392.500, 536.024, and 536.037, RSMo, and to enact in lieu thereof seven new sections relating to telecommunications companies.

In which the concurrence of the House is respectfully requested.

LETTER OF OBJECTION

March 14, 2005

Mr. Steve Davis, Chief Clerk
State Capitol Building
Room 306-B
Jefferson City, MO 65101

Dear Mr. Clerk:

We the undersigned members of the House of Representatives hereby object to the placement of **House Committee Substitute for House Bill No. 580** on the House Bills for Third Reading - Consent Calendar.

Thank you.

/s/ Richard Byrd
District 94

/s/ Tim Flook
District 34

/s/ Margaret Donnelly
District 73

/s/ Michael Brown
District 50

/s/ John Burnett
District 40

WITHDRAWAL OF HOUSE BILLS

March 14, 2005

Chief Clerk Stephen Davis
201 West Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Davis:

Please withdraw **House Bill No. 212** and **House Bill No. 775**.

Sincerely,

/s/ Representative Sherman Parker
District 12

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, March 15, 2005.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Joe Aull, District 26, hereby state and affirm that my vote as recorded on the motion to adopt House Amendment No. 1 to House Amendment No. 5 to House Committee Substitute for House Bill No. 58 in the House Journal for Monday, March 14, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of March 2005.

/s/ Joe Aull
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 15, 2005, 12:00 p.m. Hearing Room 1.
Possible Executive session.
Public hearings to be held on: HB 648, HB 658

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, March 15, 2005, 9:00 a.m. Hearing Room 5.
Markup for the Departments of Transportation, Economic Development,
Insurance, Labor and Industrial Relations.
Executive session.

BUDGET

Tuesday, March 15, 2005, 8:00 a.m. Hearing Room 3.
Executive session may follow. CANCELLED
Public hearing to be held on: HJR 12

BUDGET

Tuesday, March 15, 2005, 8:00 p.m. Hearing Room 3.
We will be hearing appropriations recommendations.
Executive session may follow.

BUDGET

Wednesday, March 16, 2005, 8:00 a.m. House Lounge.
Appropriation recommendations.
Executive session may follow.

BUDGET

Wednesday, March 16, 2005, 8:00 p.m. Hearing Room 3.
Appropriation recommendations.
Executive session may follow.

BUDGET

Thursday, March 17, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations.
Executive session may follow.

CHILDREN AND FAMILIES

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 7.
Executive session only. No Public Testimony!
Executive session will be held on: HB 586, HB 36

CONFERENCE COMMITTEE NOTICE

Tuesday, March 15, 2005, 2:00 p.m. House Lounge.

Public hearing to be held on: SS SCS HCS HB 393

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: HB 661, HB 491, HB 685, HB 700, HB 743

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 15, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 83, HB 188, HB 244, HB 340, HB 712, HB 407, HB 593

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Associated Industries of Missouri will give a presentation on the challenges for the education and training communities concerning today's workforce.

Public hearings to be held on: HB 320, HCR 24

FINANCIAL INSTITUTIONS

Tuesday, March 15, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 647, HB 707

HEALTH CARE POLICY

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 271, HB 620, HB 626, HB 657, HB 671, HCR 23

HEALTH CARE POLICY

Wednesday, March 16, 2005, 2:00 p.m. Hearing Room 6.

Continuation of 8:00 a.m. hearing.

Executive session may follow.

HIGHER EDUCATION

Tuesday, March 15, 2005, 12:00 p.m. Hearing Room 4.

Executive session.

Public hearing to be held on: HB 530

INSURANCE POLICY

Tuesday, March 15, 2005, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 138, HB 546, HB 717, HB 733

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 16, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 701, HB 711

JOINT COMMITTEE ON GAMING AND WAGERING

Wednesday, March 16, 2005, 9:00 a.m. Hearing Room 4.

Elections of Officers.

JUDICIARY

Tuesday, March 15, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 266, HB 493, HB 419, HB 495, HB 358, HB 409, HB 460

LOCAL GOVERNMENT

Tuesday, March 15, 2005, House Chamber south side gallery upon morning adjournment.

Executive session.

LOCAL GOVERNMENT

Thursday, March 17, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 76, HB 565, HB 253, HB 179

Executive session will be held on: HB 465, HB 405, HB 485, HB 480

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 16, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 652, HB 670, HB 738

Executive session may be held on: HB 738

RULES

Tuesday, March 15, 2005, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Possible continuation upon afternoon adjournment. Hearing Room 6.

Public hearings to be held on: HCS HB 568, HCS HB 577, HCS HB 450, HCS HB 606, HCS HB 443, HCS HB 334, HCS HB 563, HCS HB 630, HB 323, HB 321, HB 455, HB 33, HB 681, HB 600, HB 219, HB 528, HB 258, HB 473, HB 180, HB 260, HB 395, HB 261

TRANSPORTATION

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 113, HB 697

VETERANS

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 5.

Executive session will follow.

Public hearings to be held on: HCR 6, HCR 16

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 16, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 477, HB 571, HB 607

HOUSE CALENDAR

THIRTY-NINTH DAY, TUESDAY, MARCH 15, 2005

HOUSE BILLS FOR SECOND READING

HB 778 through HB 786

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 348 - Pearce
- 2 HCS HB 58, as amended - Johnson (47)
- 3 HB 344 - Baker (123)
- 4 HB 376 - Guest
- 5 HB 564 - Boykins
- 6 HCS HB 437 - Jackson
- 7 HCS HB 208 - Icet
- 8 HCS HB 394 - Byrd
- 9 HCS HB 388 - Yates
- 10 HCS HB 576 - Flook
- 11 HCS HB 580 - Byrd

HOUSE BILLS FOR PERFECTION - CONSENT

(3/08/05)

- 1 HB 243 - May
- 2 HB 397 - Henke
- 3 HB 423 - Kuessner
- 4 HB 431 - Wright (137)
- 5 HB 567 - Stevenson

(3/10/05)

- 1 HCS HB 119 - Jones
- 2 HCS HB 215 - Pearce
- 3 HB 343, HCA 1 - Baker (123)
- 4 HB 345 - Baker (123)

- 5 HB 413 - Hubbard
- 6 HB 445 - Guest
- 7 HB 479 - Ervin
- 8 HB 524 - May

(3/14/05)

- 1 HB 69 - Rupp
- 2 HB 402 - Schaaf
- 3 HB 456 - Kuessner
- 4 HCS HB 474 - Yates
- 5 HB 486 - Bruns
- 6 HCS HB 508 - Pratt
- 7 HCS HB 515 - Wood
- 8 HB 596 - Schaaf
- 9 HB 638 - Cunningham (86)
- 10 HB 678 - Byrd
- 11 HB 684 - Lipke

(3/15/05)

- 1 HB 43 - Wallace
- 2 HB 53 - Swinger
- 3 HCS HB 108 - Schaaf
- 4 HB 155 - Ruestman
- 5 HB 236 - Goodman
- 6 HB 280 - Walsh
- 7 HB 342 - Baker (123)
- 8 HCS HB 362 - Lipke
- 9 HCS HB 422 - Black
- 10 HCS HB 448 - Villa
- 11 HB 453 - May
- 12 HCS HB 462 & 463 - Smith (118)
- 13 HB 487 - Bruns
- 14 HCS HB 513 - Zweifel
- 15 HCS HB 531 - Wright (137)
- 16 HB 618 - Bearden
- 17 HCS HB 631 - Portwood

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 40, E.C. - Tilley
- 2 HCS HB 56 - Threlkeld
- 3 HB 127 - Bivins
- 4 HCS HB 47, E.C. - Brown (30)
- 5 HCS HB 163, 213 & 216, E.C. - Smith (14)

- 6 HB 592 - Cooper (120)
- 7 HB 269 - Bruns
- 8 HB 361 - Lipke

SENATE BILLS FOR SECOND READING

- 1 SB 88
- 2 SS SCS SB 237

SENATE CONCURRENT RESOLUTION

SCR 3, (3-07-05, Page 497) - Cooper (158)

BILL CARRYING REQUEST MESSAGE

SS SCS HCS HB 393, as amended, (request Senate recede/grant conference) - Byrd

BILL IN CONFERENCE

HCS SS SCS SB 1 & 130, as amended - Hunter

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

THIRTY-NINTH DAY, TUESDAY, MARCH 15, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

Blessed are You, Lord, God of all creation, whose generosity fills the earth with resources to meet the needs of mankind. Blessed are You, who have brought us together this day to work in harmony and peace.

Send down Your blessings on these Your servants, who generously devote themselves to helping the people in their districts and all the people in our state. Give them the holy experience of serving You by serving the people.

Strengthen them with Your grace and wisdom for You are God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jordan Deprow, William Rudd, Matthew Yager, Blake Buchanan, Amber Adams, Phillip Burton, Joseph Fama, Kaitlin Hollar, Hunter Mueller, Ciara Putman, Charlnae Spearman, Robert Adelman, Emilie Fox, Riley Kelly, Malcolm Lee, Briana Mann, Sunevra Penn, Jeffrey Philgreen, Jaysyn Craddock, Donale Holmes, Shala Mays, Ian Morby, Caitlyn Thomas, Elena Worley, Gabriel Anderson, Kendra Carr, Devan Dowdy, Ikenna Obilor, Robin Simmons, Richard Smith, Devan Worley-Tucker, Leslie Burton, Kierra Bryant, April Grant, Christopher Kidwell, Kelsey Mahoney, Arien Ragsdale, Nathan Allen, Travis Burtin, Victor Cole, Makayla Friday, Claire Mansur, Lanisha Merrill, Catherine Roberts, Robert Wilson, Joshua Hobbs, Margarette Pruitt, Victoria Townsend, Joseph Loyacono-Bustos, Timothy Powell, Breyana White, Reginald Johnson, Tatiana Johnson, John Samuel Lincoln, James Lucas Houchin, Tyler Wilson, Timmy Wilcox, Colton Coffell and Samantha Winkelman.

The Journal of the thirty-eighth day was approved as corrected.

SPECIAL RECOGNITION

Students from St. Stephen's Academy, Kansas City, Missouri, were introduced by Representative Burnett and recognized for designing a sixteen-square quilt representing core values of social justice.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1249 - Representative Jetton
House Resolution No. 1250 - Representative Jones
House Resolution No. 1251 - Representative Moore
House Resolution No. 1252 - Representative Wright (159)
House Resolution No. 1253 - Representative Deeken, et al.
House Resolution No. 1254
and
House Resolution No. 1255 - Representative Loehner
House Resolution No. 1256 - Representative Baker (123)
House Resolution No. 1257
through
House Resolution No. 1260 - Representative Tilley
House Resolution No. 1261 - Representative Cunningham (145)
House Resolution No. 1262
and
House Resolution No. 1263 - Representative Day
House Resolution No. 1264 - Representative Hunter
House Resolution No. 1265
through
House Resolution No. 1267 - Representative Lager
House Resolution No. 1268
and
House Resolution No. 1269 - Representative Viebrock

SECOND READING OF HOUSE BILLS

HB 778 through **HB 786** were read the second time.

SECOND READING OF SENATE BILLS

SB 88 and **SS SCS SB 237** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 58, as amended, relating to political subdivisions, was taken up by Representative Johnson (47).

Representative Zweifel offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 58, Page 11, Section 71.794, Line 45, by inserting after all of said line the following:

"82.291. 1. For purposes of this section, "derelict vehicle" means any motor vehicle or trailer that was originally designed or manufactured to transport persons or property on a public highway, road, or street and that is junked, scrapped, dismantled, disassembled, or in a condition otherwise harmful to the public health, welfare, peace, and safety.

2. The owner of any property located in any home rule city with more than twenty-six thousand two hundred but less than twenty-six thousand three hundred inhabitants, except any property subclassed as agricultural and horticultural property pursuant to section 4(b), article X, of the Constitution of Missouri or any property containing any licensed vehicle service or repair facility, who permits derelict vehicles or substantial parts of derelict vehicles to remain on the property other than inside a fully enclosed permanent structure designed and constructed for vehicle storage shall be liable for the removal of the vehicles or the parts if they are declared to be a public nuisance.

3. To declare derelict vehicles or parts of derelict vehicles to be a public nuisance, the governing body of the city shall give a hearing upon ten days' notice, either personally or by United States mail to the owner or agent, or by posting a notice of the hearing on the property. At the hearing, the governing body may declare the vehicles or the parts to be public nuisances, and may order the nuisance to be removed within five business days. If the nuisance is not removed within the five days, the governing body or the designated city official shall have the nuisance removed and shall certify the costs of the removal to the city clerk or the equivalent official, who shall cause a special tax bill for the removal to be prepared against the property and collected by the collector with other taxes assessed on the property, and to be assessed any interest and penalties for delinquency as other delinquent tax bills are assessed as permitted by law.

4. The provisions of this section shall terminate on August 28, [2004] **2008**."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Zweifel, **House Amendment No. 8** was adopted.

Representative Portwood offered **House Amendment No. 9**.

Representative Shoemyer raised a point of order that the distribution of **House Amendment No. 9** was not timely.

The Chair ruled the point of order well taken.

Representative Wagner offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 58, Section 321.322, Page 21, Line 57, by deleting the word "has"; and

Further amend said section and page, Line 58, by deleting all of said line and inserting in lieu thereof the following:

"is a city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wagner, **House Amendment No. 10** was adopted.

Representative Pratt offered **House Amendment No. 11**.

Representative Byrd raised a point of order that **House Amendment No. 11** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Shoemyer offered **House Amendment No. 12**.

Speaker Pro Tem Bearden assumed the Chair.

Representative Myers raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Burnett offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for House Bill No. 58, Section 2, Page 26, Line 8, by inserting immediately after all of said line the following:

“Section 3. The Missouri housing development commission is prohibited from awarding grants or loans to any home rule city with more than four hundred thousand inhabitants and located in more than one county unless the governing body of such city has implemented oversight procedures to review expenditures and development plans for all housing contracts in excess of seventy-five thousand dollars.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burnett, **House Amendment No. 13** was adopted.

Representative Witte offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for House Bill No. 58, Page 14, Section 82.1025, Line 25, by inserting after all of said line the following:

"94.700. The following words, as used in sections 94.700 to 94.755, shall have the following meaning unless a different meaning clearly appears from the context:

(1) "City" shall mean any incorporated city, town, or village in the state of Missouri with a population of [two] **one** hundred or more, but the term "city" does not include any city not within a county or any city of over four hundred thousand inhabitants wholly or partially within a first class county;

(2) "City transit authority" shall mean a commission or board created by city charter provision or by ordinance of a city, and which operates a public mass transportation system;

(3) "City utilities board" shall mean a board or commission created by city charter provision or by ordinance of a city, which controls and operates city-owned utilities including a public mass transportation system;

(4) "Director of revenue" shall mean the director of revenue of the state of Missouri;

(5) "Interstate transportation authority" shall mean any political subdivision created by compact between this state and another state, which is a body corporate and politic and a political subdivision of both contracting states, and which operates a public mass transportation system;

(6) "Interstate transportation district" shall mean that geographical area set forth and defined in the particular compact between this state and another state;

(7) "Person" shall mean an individual, corporation, partnership, or other entity;

(8) "Public mass transportation system" shall mean a transportation system or systems owned and operated by an interstate transportation authority, a municipality, a city transit authority, or a city utilities board, employing motor buses, rails or any other means of conveyance, by whatsoever type or power, operated for public use in the conveyance of persons, mainly providing local transportation service within an interstate transportation district or municipality;

(9) "Transportation purposes" shall mean financial support of a "public mass transportation system"; the construction, reconstruction, repair and maintenance of streets, roads and bridges within a municipality; the construction, reconstruction, repair and maintenance of airports owned and operated by municipalities; the acquisition of lands and rights-of-way for streets, roads, bridges and airports; and planning and feasibility studies for streets, roads, bridges, and airports. "Bridges" shall include bridges connecting a municipality with another municipality either within or without the state, with an unincorporated area of the state, or with another state or an unincorporated area thereof."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Witte, **House Amendment No. 14** was adopted.

Representative Villa offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for House Bill No. 58, Page 19, Section 250.140, Line 14, by deleting the word "sixty" and inserting in lieu thereof the word "ninety"; and

Further amend said bill, Section 250.140, Line 15, by deleting the word "sixty" and inserting in lieu thereof the word "ninety".

Representative Johnson (47) offered **House Amendment No. 1 to House Amendment No. 15**.

House Amendment No. 1 to House Amendment No. 15 was withdrawn.

On motion of Representative Villa, **House Amendment No. 15** was adopted.

Representative Schneider offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for House Bill No. 58, Section 82.305, Page 13, Line 9 of said substitute, by inserting the following lines:

"83.206. No municipal governing body shall adopt any ordinance that conflicts with or supercedes any state law concerning the natural resources and conservation of the state."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 58, as amended, with House Amendment No. 16, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 393, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HCS HB 393, as amended**: Senators Scott, Bartle, Shields, Callahan and Wheeler.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HCS HB 393, as amended: Representatives Byrd, Pratt, Richard, Burnett and Johnson (90).

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Wesley Hjelm, Bailey Seward, Jacob Benson and Luke Benson.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1270
through
House Resolution No. 1273 - Representative Bringer
House Resolution No. 1274 - Representative Jetton
House Resolution No. 1275
and
House Resolution No. 1276 - Representative Jolly
House Resolution No. 1277 - Representative Hunter
House Resolution No. 1278 - Representative Cooper (158)
House Resolution No. 1279 - Representative Brown (30)
House Resolution No. 1280 - Representative Nieves
House Resolution No. 1281
and
House Resolution No. 1282 - Representative Avery

House Resolution No. 1283 - Representative Wright (137)
 House Resolution No. 1284 - Representative Bivins, et al.
 House Resolution No. 1285
 through
 House Resolution No. 1298 - Representative Jackson

PERFECTION OF HOUSE BILL

HCS HB 348, relating to military preparedness and enhancement, was taken up by Representative Pearce.

Representative Pearce offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 348, Section 41.1013, Pages 3 and 4, by deleting all of said section and inserting in lieu thereof the following:

“41.1013. 1. The governing body or county planning commission, if any, of any county of the second classification with more than forty-eight thousand two hundred but fewer than forty-eight thousand three hundred inhabitants shall provide for the planning, zoning, subdivision and building within all or any portion of the unincorporated area extending three thousand feet outward from the boundaries of any military base located in such county and the area within the perimeter of accident potential zones one and two if the county has a zoning commission and a board of adjustment established under sections 64.510 to 64.727, RSMo. As used in this section, the term “accident potential zones one and two” means any land area that was identified in the April, 1976 Air Installation Compatible Use Zone Report at the north and south ends of the clear zone of a military installation located in any county of the second classification with more than forty-eight thousand two hundred but fewer than forty-eight thousand three hundred inhabitants and which is in significant danger of aircraft accidents by being beneath that airspace where the potential for aircraft accidents is most likely to occur.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pearce, **House Amendment No. 1** was adopted.

On motion of Representative Pearce, **HCS HB 348, as amended**, was adopted by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Henke	Hobbs	Hoskins
Hughes	Hunter	Icet	Jackson	Johnson 47

Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Pearce	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Bowman	Burnett	George	Haywood
Hubbard	Johnson 90	Parson	Phillips	Salva

VACANCIES: 001

On motion of Representative Pearce, **HCS HB 348, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 40, relating to industrial development corporations, was taken up by Representative Tilley.

On motion of Representative Tilley, **HB 40** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs

Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Pearce	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Burnett	George	Haywood	Hubbard
Johnson 90	Parson	Phillips	Salva	Wright 137

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brown 30	Brown 50
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 110	Henke
Hobbs	Hoskins	Hughes	Hunter	Ice
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Pearce	Pollock	Portwood	Pratt

Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Yates	Young
Zweifel	Mr Speaker			

NOES: 005

Daus	LeVota	Whorton	Wildberger	Yaeger
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PRESENT: 005

Corcoran	Harris 23	Johnson 61	Johnson 90	Oxford
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ABSENT WITH LEAVE: 010

Bean	Brooks	Bruns	George	Haywood
Hubbard	Parson	Phillips	Salva	Wright 159

VACANCIES: 001

HCS HB 56, relating to referrals for health care services, was taken up by Representative Threlkeld.

On motion of Representative Threlkeld, **HCS HB 56** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Pearce
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda

Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnitz	Bean	George	Haywood	Hubbard
Parson	Phillips	Salva	Vogt	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 127, relating to fire protection district boards, was taken up by Representative Bivins.

On motion of Representative Bivins, **HB 127** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Pearce	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch

Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnitz	Bean	Boykins	George	Haywood
Kuessner	Parson	Phillips	Salva	Vogt

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 47, relating to consolidated public library districts, was taken up by Representative Brown (30).

On motion of Representative Brown (30), **HCS HB 47** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Pearce	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells

Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 004

Harris 23	LeVota	Lowe 44	Skaggs
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PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 007

Barnitz	Bean	George	Haywood	Parson
Phillips	Salva			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 103

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Boykins	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Kraus	Lager	Lembke	Liese	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Pearce	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 118	Smith 14	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Zweifel	Mr Speaker		

NOES: 044

Aull	Baker 25	Barnitz	Bland	Bowman
Bringer	Brooks	Brown 50	Burnett	Chappelle-Nadal
Casey	Corcoran	Curls	Daus	Donnelly
El-Amin	Fraser	Harris 110	Harris 23	Hughes
Johnson 90	Jolly	Kuessner	Lampe	LeVota
Low 39	Lowe 44	Oxford	Page	Robinson
Rucker	Schoemehl	Selby	Shoemyer	Skaggs

Storch	Swinger	Villa	Vogt	Walsh
Witte	Wright-Jones	Yaeger	Young	

PRESENT: 009

Darrough	Henke	Johnson 61	Meadows	Roorda
Spreng	Wagner	Whorton	Wildberger	

ABSENT WITH LEAVE: 006

Bean	George	Haywood	Parson	Phillips
Salva				

VACANCIES: 001

HCS HBs 163, 213 & 216, relating to Veterans' medallion programs, was taken up by Representative Smith (14).

On motion of Representative Smith (14), **HCS HBs 163, 213 & 216** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Pearce
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker 123	Bean	Boykins	George	Haywood
Parson	Phillips	Salva		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Pearce	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	George	Haywood	Parson	Phillips
Salva	Stevenson			

VACANCIES: 001

HB 592, relating to excursion gambling boats, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HB 592** was read the third time and passed by the following vote:

AYES: 132

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Bruns
Burnett	Byrd	Chappelle-Nadal	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 23	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Lager
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Pearce	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Rucker
Ruestman	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wright 137	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 018

Baker 25	Casey	Corcoran	Harris 110	Henke
Lampe	Low 39	Oxford	Roorda	Schoemehl
Selby	Vogt	Walsh	Walton	Whorton
Wildberger	Wood	Wright-Jones		

PRESENT: 001

Kuessner

ABSENT WITH LEAVE: 011

Bean	Brown 50	George	Haywood	Johnson 61
Parson	Phillips	Robinson	Rupp	Salva
Wright 159				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 269, relating to firefighter's rule, was taken up by Representative Bruns.

On motion of Representative Bruns, **HB 269** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Pearce	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	George	Haywood	Parson	Phillips
Rupp	Salva			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 361, relating to DNA profiling, was taken up by Representative Lipke.

On motion of Representative Lipke, **HB 361** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Cooper 120	George	Haywood	Kelly
Parson	Salva	Self	Stevenson	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 564, relating to stolen license plate tabs, was taken up by Representative Boykins.

Representative Boykins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 564, Page 1, Section 301.301, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"two **sets of two** license plate tabs per year when the application for the replacement tab is"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Boykins, **House Amendment No. 1** was adopted.

On motion of Representative Boykins, **HB 564, as amended**, was ordered perfected and printed.

HCS HB 437, relating to the Missouri Military Family Relief Fund, was taken up by Representative Jackson.

On motion of Representative Jackson, **HCS HB 437** was adopted.

On motion of Representative Jackson, **HCS HB 437** was ordered perfected and printed.

HCS HB 58, as amended, with House Amendment No. 16, pending, relating to political subdivisions, was again taken up by Representative Johnson (47).

House Amendment No. 16 was withdrawn.

On motion of Representative Johnson (47), **HCS HB 58, as amended**, was adopted.

On motion of Representative Johnson (47), **HCS HB 58, as amended**, was ordered perfected and printed.

SENATE CONCURRENT RESOLUTION

SCR 3, relating to congenital heart defect awareness, was taken up by Representative Cooper (158).

On motion of Representative Cooper (158), **SCR 3** was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Bruns	George	Haywood	Parson
Salva	Stevenson			

VACANCIES: 001

PERFECTION OF HOUSE BILL

Representative Byrd moved that **HCS HB 580** be recommitted to the Committee on Judiciary.

Which motion was adopted.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 179 - Utilities

COMMITTEE REPORTS

Committee on Financial Institutions, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 707**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 530**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 532**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 450**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 639**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 64**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 33**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 180**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 219**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 258**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 261**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 321**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 323**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 334**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 395**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 443**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 455**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 528**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 563**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 568**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 577**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 606**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 681**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 688**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 243, HB 397, HB 423, HB 431 and HB 567.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 787, introduced by Representative St. Onge, relating to drug testing of employees at or near a school.

HB 788, introduced by Representatives Johnson (90) and Roorda, relating to child protection.

HB 789, introduced by Representatives Salva, Richard, Wagner, Kratky, Vogt, Dusenberg, Pratt, Whorton, Rucker and Henke, relating to sales tax exemptions.

HB 790, introduced by Representatives Kraus, Yates, Smith (14), Bivins, Weter, Meiners and Schneider, relating to the failure to wear a safety belt.

HB 791, introduced by Representative Portwood, to authorize the conveyance of state property.

HB 792, introduced by Representative Jackson, relating to inspections of buildings by fire marshals.

HB 793, introduced by Representatives Nolte, Parson, Sater, Cooper (158) and Flook, relating to the scheduling of controlled substances.

HB 794, introduced by Representative Pratt, relating to guardianship of minors.

HB 795, introduced by Representatives Aull, Dougherty, Hughes, Casey, Roorda, McGhee, Brown (50) and Lampe, relating to public school property.

HB 796, introduced by Representative Lembke, relating to public defenders.

HB 797, introduced by Representatives Baker (25), Lampe, Roorda, Oxford, Walton, Walsh, Liese, Lowe (44), Corcoran, Bland, Meiners, Parker, Wright-Jones, Fraser, Donnelly, Low (39), Jones, Parson, Hobbs and Storch, relating to victims of sexual offenses.

HB 798, introduced by Representatives Darrough, Wright (137), Spreng, Corcoran, Walsh, Baker (25), Schoemehl, Whorton, Harris (23), Wildberger, Zweifel, Storch, Page, Hobbs, Yaeger, Jolly, Swinger, Lowe (44), Kratky and Vogt, relating to alternative fuel and alternative fuel vehicles.

HB 799, introduced by Representative Schaaf, relating to birth and death records.

HB 800, introduced by Representatives Lampe, Chappelle-Nadal, Fraser, Yaeger, Wright-Jones, Harris (110), Curls, Oxford, Roorda, Baker (25), Aull, Hughes, Wildberger, Darrough, Brown (50), Low (39), Storch, Zweifel, El-Amin, Robinson, Dougherty, Meiners, Swinger, Witte, Jolly, Spreng, Rucker, Sanders Brooks, Bowman, Villa, Daus, Selby, Hoskins, Boykins, Hubbard, Walsh, Young, Henke, Meadows, Skaggs, Schoemehl, Bringer, Page, Kuessner, Corcoran, Wallace, Sater, Donnelly, LeVota and Harris (23), relating to the placement of certain special education pupils.

HB 801, introduced by Representatives Harris (110), Bringer, LeVota, Henke, Wildberger, Cunningham (86), Brown (50), Salva, Roorda, Meadows, Casey, Schoemehl, Yaeger, Robinson, Swinger, Selby, Barnitz, Burnett, Wagner, Walsh, Spreng, Villa, Shoemyer, Meiners, Dougherty, Liese, Rucker, Kuessner, Kratky, George, Lembke and Moore, relating to alternatives to abortion services.

HB 802, introduced by Representatives Jolly, Meadows, Zweifel, Walsh, Lowe (44), Wright-Jones, Donnelly, Young, Wildberger, Salva, Vogt, Low (39), Meiners, Dougherty, Burnett, Johnson (90), George, Storch, Corcoran, Schoemehl, Darrough, Casey, Oxford, Roorda, Yaeger, Lampe, Brown (50), Kratky, Daus, Fraser, Spreng, LeVota, Shoemyer, Hughes, Wagner, Zweifel, Bowman, Sanders Brooks, Rucker, Curls, Hoskins, El-Amin and Bland, relating to patient safety.

HB 803, introduced by Representative Bruns, relating to licensure fees for emergency personnel.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NOS. 1 & 130**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, with House Amendment Nos. 1, 2, 3, House Amendment No. 4 as amended, House Amendment Nos. 5, 8, 9, 10, 11, 12, and House Amendment No. 13 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 1 & 130, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Loudon
/s/ Michael Gibbons
/s/ Dan Clemens

FOR THE HOUSE:

/s/ Steve Hunter
/s/ Carl Bearden
/s/ Shannon Cooper

RECESS

Representative Dempsey moved that the House stand in recess pending the distribution of the Conference Committee Report on **SS SCS HCS HB 393**, and then stand adjourned until 10:00 a.m., Wednesday, March 16, 2005.

Which motion was adopted.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 393

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, with Senate Amendment No. 1 to Senate Amendment No. 4, Senate Amendment No. 4 as amended, Senate Amendment No. 1 to Senate Amendment No. 5, Senate Amendment No. 5 as amended, Senate Amendment Nos. 6, 7, 9, and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 393;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Delbert Scott
/s/ Matt Bartle
/s/ Charles Shields
/s/ Charles Wheeler

FOR THE HOUSE:

/s/ Richard Byrd
/s/ Bryan Pratt
/s/ Ronald Richard

The following members' presence was noted: George and Parson.

ADJOURNMENT

Pursuant to the motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, March 16, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative B.J. Marsh, District 136, hereby state and affirm that my vote as recorded on Page 612 of the House Journal for Monday, March 14, 2005 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of March 2005.

/s/ B.J. Marsh
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Bruns, District 113, hereby state and affirm that my vote as recorded on the motion to adopt the emergency clause to House Bill No. 40 in the House Journal for Tuesday, March 15, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of March 2005.

/s/ Mark Bruns
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tim Meadows, District 101, hereby state and affirm that my vote as recorded on the motion to adopt the emergency clause to House Committee Substitute for House Bill No. 47 of the House Journal for Tuesday, March 15, 2005 showing that I voted present was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of March 2005.

/s/ Tim Meadows
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Billy Pat Wright, District 159, hereby state and affirm that my vote as recorded on the motion to adopt the emergency clause to House Bill No. 40 in the House Journal for Tuesday, March 15, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of March 2005.

/s/ Billy Pat Wright
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 15th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Wednesday, March 16, 2005, 8:00 a.m. House Lounge.
Appropriation recommendations.
Executive session may follow.

BUDGET

Wednesday, March 16, 2005, 8:00 p.m. Hearing Room 3.
Appropriation recommendations.
Executive session may follow.

BUDGET

Thursday, March 17, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations.
Executive session may follow.

BUDGET

Tuesday, March 29, 2005, 12:00 p.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Tuesday, March 29, 2005, Hearing Room 3 upon evening adjournment.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Wednesday, March 30, 2005, 8:00 a.m. House Lounge.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Wednesday, March 30, 2005, 8:00 p.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 p.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Friday, April 1, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

CHILDREN AND FAMILIES

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 7.
Executive session only. No Public Testimony!
Executive session will be held on: HB 586, HB 36

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow. AMENDED
Public hearings to be held on: HB 661, HB 491, HB 685, HB 700, HB 743

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 3.
Executive session may follow.
Associated Industries of Missouri will give a presentation on the challenges for the education and training communities concerning today's workforce.
Public hearings to be held on: HB 320, HCR 24

ETHICS

Wednesday, March 16, 2005, House Chamber side gallery upon afternoon adjournment.
Approval of Caucuses and additions to caucuses.
Executive session may be held.

HEALTH CARE POLICY

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. AMENDED
Public hearings to be held on: HB 271, HB 620, HB 626, HB 657, HB 671, HCR 23

HEALTH CARE POLICY

Wednesday, March 16, 2005, 2:00 p.m. Hearing Room 6.
Continuation of 8:00 a.m. hearing.
Executive session may follow.

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, March 16, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 701, HB 711

JOINT COMMITTEE ON GAMING AND WAGERING

Wednesday, March 16, 2005, 9:00 a.m. Hearing Room 4.

Elections of Officers.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Wednesday, March 16, 2005, Hearing Room 1 upon afternoon adjournment.

Challenge fiscal note: SB 539

LOCAL GOVERNMENT

Thursday, March 17, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 76, HB 565, HB 253, HB 179

Executive session will be held on: HB 465, HB 405, HB 485, HB 480

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 16, 2005, 12:00 p.m. Hearing Room 1. AMENDED

Public hearings to be held on: HB 652, HB 670, HB 738, HB 725

Executive session may be held on: HB 738

RETIREMENT

Wednesday, March 16, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 8, SCS SBs 202, 33, 45, 183 & 217

RULES

Wednesday, March 16, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 600, HCS HB 64, HB 370, HCS HB 131, HB 560, HCS#2 HB 232, HCS HB 525, HR 1117, HB 539, HB 691, HCS HJR 6, HCR 20, HCS HB 519, HCS HB 286

SMALL BUSINESS

Wednesday, March 16, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HJR 13, HB 265, HB 562, HB 552

TRANSPORTATION

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 113, HB 697

UTILITIES

Wednesday, March 16, 2005, 12:00 p.m. Hearing Room 5.

Committee will begin upon morning recess or at noon, whichever is later. AMENDED

Public hearings to be held on: HCR 5, HB 304, SS SCS SB 179

VETERANS

Wednesday, March 16, 2005, 8:00 a.m. Hearing Room 5.

Executive session will follow. Reconsideration of House Bill 412. AMENDED

Public hearings to be held on: HCR 6, HCR 16

WAYS AND MEANS

Wednesday, March 16, 2005, 6:00 p.m. Hearing Room 5.

Possible Executive session.

Public hearings to be held on: HB 392, HB 414, HB 699, HB 449

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 16, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 477, HB 571, HB 607

HOUSE CALENDAR

FORTIETH DAY, WEDNESDAY, MARCH 16, 2005

HOUSE BILLS FOR SECOND READING

HB 787 through HB 803

HOUSE BILLS FOR PERFECTION

- 1 HB 344 - Baker (123)
- 2 HB 376 - Guest
- 3 HCS HB 208 - Icet
- 4 HCS HB 394 - Byrd
- 5 HCS HB 388 - Yates
- 6 HCS HB 576 - Flook

HOUSE BILLS FOR PERFECTION - CONSENT

(3/10/05)

- 1 HCS HB 119 - Jones
- 2 HCS HB 215 - Pearce
- 3 HB 343, HCA 1 - Baker (123)
- 4 HB 345 - Baker (123)

- 5 HB 413 - Hubbard
- 6 HB 445 - Guest
- 7 HB 479 - Ervin
- 8 HB 524 - May

(3/14/05)

- 1 HB 69 - Rupp
- 2 HB 402 - Schaaf
- 3 HB 456 - Kuessner
- 4 HCS HB 474 - Yates
- 5 HB 486 - Bruns
- 6 HCS HB 508 - Pratt
- 7 HCS HB 515 - Wood
- 8 HB 596 - Schaaf
- 9 HB 638 - Cunningham (86)
- 10 HB 678 - Byrd
- 11 HB 684 - Lipke

(3/15/05)

- 1 HB 43 - Wallace
- 2 HB 53 - Swinger
- 3 HCS HB 108 - Schaaf
- 4 HB 155 - Ruestman
- 5 HB 236 - Goodman
- 6 HB 280 - Walsh
- 7 HB 342 - Baker (123)
- 8 HCS HB 362 - Lipke
- 9 HCS HB 422 - Black
- 10 HCS HB 448 - Villa
- 11 HB 453 - May
- 12 HCS HBs 462 & 463 - Smith (118)
- 13 HB 487 - Bruns
- 14 HCS HB 513 - Zweifel
- 15 HCS HB 531 - Wright (137)
- 16 HB 618 - Bearden
- 17 HCS HB 631 - Portwood

(3/16/05)

- 1 HB 33 - Phillips
- 2 HB 180 - Johnson (47)
- 3 HB 219 - Salva
- 4 HB 258 - Cunningham (86)

- 5 HB 260 - Deeken
- 6 HB 261 - Deeken
- 7 HB 321 - Yates
- 8 HB 323 - Johnson (47)
- 9 HCS HB 334 - Franz
- 10 HB 395 - Wood
- 11 HCS HB 443 - Sander
- 12 HB 455 - Quinn
- 13 HB 473 - Yates
- 14 HB 528 - Cunningham (145)
- 15 HCS HB 563 - Rucker
- 16 HCS HB 568 - Stevenson
- 17 HCS HB 577 - Kuessner
- 18 HCS HB 606 - Lembke
- 19 HCS HB 630 - Pollock
- 20 HB 681 - Chappelle-Nadal
- 21 HB 688 - Byrd

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 348, E.C. - Pearce
- 2 HB 564 - Boykins
- 3 HCS HB 437 - Jackson
- 4 HCS HB 58, E.C. - Johnson (47)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 243 - May
- 2 HB 397 - Henke
- 3 HB 423 - Kuessner
- 4 HB 431 - Wright (137)
- 5 HB 567 - Stevenson

BILLS IN CONFERENCE

- 1 CCR HCS SS SCS SBs 1 & 130, as amended - Hunter
- 2 CCR SS SCS HCS HB 393, as amended - Byrd

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTIETH DAY, WEDNESDAY, MARCH 16, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

We give You LORD the glory due Your name; we worship You LORD in the splendor of Your holiness. Your voice moves the waters. The voice of Your glory thunders throughout the whole earth. Your voice is powerful and majestic.

May we position ourselves today to hear Your voice that we might be blessed with peace, strength and insight.

We are determined, with Your help, to drive offense and anger far from us; for there is no profit in that. In our deliberations today, may we seek not the applause of man, but the applause of Heaven.

Grant us rest and enjoyment of family during the upcoming Spring break and may we return refreshed and ready to tackle the concluding issues of this session.

Grace be with us all.

In the authority of Your Son's name, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Meredith Brunkow, Jordan Ousley, Emily Ousley, Mark Baehr and Matt Hunt.

The Journal of the thirty-ninth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1299

and

House Resolution No. 1300 - Representative Roark

SECOND READING OF HOUSE BILLS

HB 787 through **HB 803** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 208, relating to civil actions, was taken up by Representative Icet.

HCS HB 208 was laid over.

HCS HB 394, relating to medical malpractice insurance, was taken up by Representative Byrd.

Representative Byrd offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 394, Page 13, Section 383.501, Line 4, by inserting after all of said line the following:

"538.230. 1. In any action against a health care provider for damages for personal injury or death on account of the rendering of or failure to render health care services where fault is apportioned among the parties and persons released pursuant to subsection 3 of this section, the court, unless otherwise agreed by all the parties, shall instruct the jury to apportion fault among such persons and parties, or the court, if there is no jury, shall make findings, indicating the percentage of total fault of all the parties to each claim that is allocated to each party and person who has been released from liability under subsection 3 of this section.

2. The court shall determine the award of damages to each plaintiff in accordance with the findings, subject to any reduction under subsection 3 of this section and enter judgment against each party liable on the basis of the rules of joint and several liability[. However, notwithstanding the provisions of this subsection, any defendant against whom an award of damages is made shall be jointly liable only with those defendants whose apportioned percentage of fault is equal to or less than such defendant] **as established in section 537.067, RSMo.**

3. Any release, covenant not to sue, or similar agreement entered into by a claimant and a person or entity against which a claim is asserted arising out of the alleged transaction which is the basis for plaintiff's cause of action, whether actually made a party to the action or not, discharges that person or entity from all liability for contribution or indemnity but it does not discharge other persons or entities liable upon such claim unless it so provides. However, the claim of the releasing person against other persons or entities is reduced by the amount of the released persons' or entities' equitable share of the total obligation imposed by the court pursuant to a full apportionment of fault under this section as though there had been no release."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Behnen assumed the Chair.

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 394, Page 9, Section 383.407, Line 33, by deleting the second occurrence of the number "**383.407**" and inserting in lieu thereof the number "**383.404**"; and

Further amend said bill, Page 9, Section 383.407, Line 7, by inserting at the end of said line the following:

"As used in sections 383.404, 383.405, and 383.406, "insurance premium rate" means the base rate as established herein plus such schedule rating or individual risk rating credits or debits as allowed under regulations promulgated by the department of insurance."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Byrd, **House Amendment No. 2** was adopted.

HCS HB 394, as amended, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SBs 1 & 130, as amended**, and has taken up and passed **CCS HCS SS SCS SBs 1 & 130**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 14**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refund, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2005.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 14, Page 1, Section 14.005, Line 5, by deleting the number "3,006,542" and inserting in lieu thereof the number "1,006,542"; and

Further amend said bill, Page 1, Section 14.015, Line 3, by deleting the number "5,552,794" and inserting in lieu thereof the number "4,552,794".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 221, 250 & 256**, entitled:

An act to repeal sections 210.104, 210.107, 302.510, 302.530, 304.015, 304.016, 304.281, 304.351, 307.178, 577.023, 577.041, RSMo, section 302.302 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, and section 302.302 as enacted by conference committee substitute no. 2 for senate committee substitute for house committee substitute for house bill nos. 302 & 38, ninety-first assembly, first regular session, and to enact in lieu thereof twelve new sections relating to the operation of motor vehicles, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate Conferees on **SS SCS HCS HB 393, as amended**, are allowed to exceed the differences.

BILL IN CONFERENCE

CCR SS SCS HCS HB 393, as amended, relating to tort reform, was taken up by Representative Byrd.

Representative Byrd moved that the House conferees be allowed to exceed the differences.

Which motion was adopted.

On motion of Representative Byrd, **CCR SS SCS HCS HB 393, as amended**, was adopted by the following vote:

AYES: 113

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Bringer	Brown 30
Bruns	Byrd	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 110	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Kuessner	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Selby	Self	Skaggs
Smith 118	Smith 14	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wagner	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 047

Baker 25	Bland	Bowman	Boykins	Brooks
Brown 50	Burnett	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	El-Amin	Fraser	George
Harris 23	Henke	Johnson 61	Johnson 90	Jolly
Kratky	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Oxford	Parker	Roorda
Rucker	Salva	Schneider	Schoemehl	Shoemyer
Spreng	Storch	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean Haywood

VACANCIES: 001

On motion of Representative Byrd, **CCS SS SCS HCS HB 393** was read the third time and passed by the following vote:

AYES: 112

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Bringer	Brown 30
Bruns	Byrd	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 110	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Kuessner	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Page	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Selby	Self	Skaggs	Smith 118
Smith 14	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Wagner
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 047

Baker 25	Bland	Bowman	Boykins	Brooks
Brown 50	Burnett	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	El-Amin	Fraser	George
Harris 23	Henke	Johnson 61	Johnson 90	Jolly
Kratky	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Oxford	Parker	Roorda
Rucker	Salva	Schneider	Schoemehl	Shoemyer
Spreng	Storch	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Hughes

ABSENT WITH LEAVE: 002

Bean Haywood

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

On motion of Representative Dempsey, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1301 - Representative Brown (30)
House Resolution No. 1302 - Representative Cunningham (145)
House Resolution No. 1303 - Representative Schad
House Resolution No. 1304
through
House Resolution No. 1316 - Representative Wilson (119)
House Resolution No. 1317 - Representative Yaeger
House Resolution No. 1318 - Representative Viebrock
House Resolution No. 1319 - Representative Smith (118)
House Resolution No. 1320 - Representative Spreng
House Resolution No. 1321 - Representative Lager

BILL IN CONFERENCE

CCR HCS SS SCS SBs 1 & 130, as amended, relating to workers' compensation, was taken up by Representative Hunter.

Representative Dempsey suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 138

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 110

Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kraus
Kuessner	Lager	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Parker	Parson	Pearce
Phillips	Pollock	Quinn	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Young	Zweifel	Mr Speaker		

NOES: 001

Skaggs

PRESENT: 009

Corcoran	Harris 23	Johnson 90	LeVota	Pratt
Smith 118	Sutherland	Wallace	Yates	

ABSENT WITH LEAVE: 014

Bean	Boykins	El-Amin	George	Haywood
Kratky	Page	Portwood	Rector	Rucker
Schneider	Vogt	Wildberger	Yaeger	

VACANCIES: 001

On motion of Representative Hunter, **CCR HCS SS SCS SBs 1 &130, as amended**, was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 118	Smith 14	Stefanick	Stevenson

St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Harris 23	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Haywood	Yaeger
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VACANCIES: 001

On motion of Representative Hunter, **CCS HCS SS SCS SBs 1 & 130** was truly agreed to and finally passed by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 118	Smith 14	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Harris 23	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean Haywood Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 208, relating to civil actions, was again taken up by Representative Icet.

Representative Behnen resumed the Chair.

Representative Goodman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 208, Section 537.530, Page 2, Line 18, by striking the number “**339**,” on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Bearden resumed the Chair.

Representative Stevenson offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

Representative Byrd raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order well taken.

Representative Goodman moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 009

Burnett	Goodman	Johnson 90	Lipke	Low 39
Marsh	Sater	Skaggs	Stevenson	

NOES: 143

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brown 30	Brown 50	Bruns
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Guest	Harris 110
Henke	Hobbs	Hodkins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

PRESENT: 002

Brooks	Lowe 44
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ABSENT WITH LEAVE: 008

Bean	Bowman	Harris 23	Haywood	Johnson 61
Loehner	Schneider	Yaeger		

VACANCIES: 001

On motion of Representative Ice, **HCS HB 208** was adopted.

On motion of Representative Ice, **HCS HB 208** was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 789 - Local Government

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 36**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 491**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 685**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 700**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 743**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 16

WHEREAS, in 1654, Jewish refugees from Brazil arrived on North American shores and formally established North America's first Jewish community in New Amsterdam, now New York City; and

WHEREAS, America welcomed Jews among the millions of immigrants that streamed through our Nation's history and helped shape our Nation; and

WHEREAS, the American Jewish community has been intimately involved in our Nation's civic, social, economic, and cultural life; and

WHEREAS, the American Jewish community has sought to actualize the broad principles of liberty and justice that are enshrined in the constitutions of the United States and the State of Missouri; and

WHEREAS, the American Jewish community is an equal participant in the religious life of our Nation; and

WHEREAS, American Jews have fought valiantly for the United States in every one of our Nation's military struggles from the American Revolution to Operation Enduring Freedom, with not less than 16 American Jews having received the Medal of Honor; and

WHEREAS, 2005 marks the 351st anniversary of the American Jewish community; and

WHEREAS, the Commission for Commemorating 351 Years of American Jewish History has designated September 2005 as "American Jewish History Month":

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby declare that the State of Missouri:

- (1) Recognizes the 351st anniversary of the American Jewish Community;
- (2) Supports designation of an "American Jewish History Month"; and
- (3) Urges all Missourians to share in this commemoration so as to have a greater appreciation of the role of the American Jewish Community in helping to defend and further the liberties and freedom of all Americans.

Mr. Speaker: Your Committee on Veterans, to which was returned **HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 64**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 131**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS #2 HB 232**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 286**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 519**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of three (3) hours for debate on Third Reading**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 525**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 539**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 600**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 24, introduced by Representatives Skaggs, Corcoran, Aull, Salva, LeVota, Johnson (90), Henke, Donnelly, Jolly, Young, Fraser, Spreng, Selby, Daus, Villa, Meiners, Chappelle-Nadal, Wildberger, Baker (25), Meadows, Roorda, Darrough, Kratky, Robinson, Page, Zweifel, Kuessner, Oxford, Witte, Barnitz, Bland, Sanders Brooks, Vogt, Brown (50) and Curls, relating to appropriations for public education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 804, introduced by Representative Smith (118), relating to county employee retirement.

HB 805, introduced by Representatives Meadows, Yaeger, Brown (50), Oxford, Curls, Zweifel, Darrough, Roorda, LeVota, Wildberger and Jolly, relating to the posting of nurse staffing levels at hospitals.

HB 806, introduced by Representative Sutherland, relating to property tax depreciation schedules for broadcasting equipment.

HB 807, introduced by Representatives Hobbs, Brown (30), Richard and Rector, relating to the administrative hearing commission.

HB 808, introduced by Representatives Burnett, Skaggs, Pratt, Yates, Dusenberg, Kraus, Johnson (47), Dougherty, Young, Jolly, Lowe (44), Low (39), Meiners, Bland, Brown (50), Curls, Flook, Salva, Hughes, LeVota, Nolte, Baker (123) and Phillips, relating to the housing development commission.

HB 809, introduced by Representatives Black, Day, Nance, Kingery, May, Kuessner, Swinger, Skaggs, Roorda and Bringer, relating to transient guest tax.

HB 810, introduced by Representatives Johnson (90), Barnitz, Kuessner, Roorda, Lampe, Swinger, Witte, Sanders Brooks, Schoemehl, Corcoran, Robinson, Rucker, Whorton, LeVota, Burnett, Zweifel, Jolly and Wildberger, relating to waivers for dissolved corporations due to military service.

HB 811, introduced by Representatives Roorda, Meadows, Casey, Harris (110), Weter and Darrough, relating to corrections officer and jailer training.

HB 812, introduced by Representatives Yates, Wilson (130), Richard, Cooper (120), Spreng, Rupp, Page and Hoskins, relating to contracts against public policy.

HB 813, introduced by Representatives El-Amin, Kratky, Oxford, Brown (50), Low (39), Chappelle-Nadal, Bland, Donnelly, Rucker, Sanders Brooks, Daus, Hubbard, Wright-Jones, Boykins, Bowman, Bruns, Schaaf, Walton, Baker (25), Roorda, Hughes, Denison, Moore, Cunningham (86) and Black, relating to an alternative sentencing task force.

HB 814, introduced by Representatives El-Amin, Oxford, Chappelle-Nadal, Curls, Hoskins, Brown (50), Low (39), Bland, Sanders Brooks, Hubbard, Wright-Jones, Boykins, Bowman, Walton, Baker (25), Denison and Black, relating to civilian review boards.

HB 815, introduced by Representatives El-Amin, Oxford, Curls, Hoskins, Brown (50), Low (39), Chappelle-Nadal, Bland, Rucker, Sanders Brooks, Daus, Selby, Hubbard, Wright-Jones, Bowman, Dougherty, Walton, Baker (25), Roorda and Hughes, relating to jury service.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 393**, as **amended**, and has taken up and passed **CCS SS SCS HCS HB 393**.

WITHDRAWAL OF HOUSE BILLS

March 14, 2005

Steve Davis, Chief Clerk
State Capitol
Room 306-C
Jefferson City, MO 65101

Dear Mr. Davis:

I respectfully request that **House Bill No. 122**, relating to the adult entertainment tax act be withdrawn.

Thank your for your assistance in this matter.

Sincerely,

/s/ Kate Meiners
District 46

March 16, 2005

Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Davis:

I respectfully request that **House Bill No. 782** be withdrawn.

Thank you for your consideration in this request. If you have questions, please do not hesitate to call.

Sincerely,

/s/ Trent Skaggs
District 31

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, March 17, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Leonard Hughes, District 42, hereby state and affirm that my vote as recorded on the motion to adopt the Conference Committee Report for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393 in the House Journal for Wednesday, March 16, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of March 2005.

/s/ Leonard Hughes
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 16th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Ray Salva, District 51, hereby state and affirm that I was present during the session of the House of Representatives on Tuesday, March 15, 2005 and that the House Journal inaccurately reflects my absence. Pursuant to House Rule 88, I ask that the Journal be corrected to note my presence in the House Journal for Tuesday, March 15, 2005.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of March 2005.

/s/ Ray Salva
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 16th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Mark Wright, District 137, hereby state and affirm that my vote as recorded on Page 635 of the House Journal for Tuesday, March 15, 2005 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of March 2005.

/s/ Mark Wright
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 16th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Thursday, March 17, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations.
Executive session may follow.

BUDGET

Tuesday, March 29, 2005, 12:00 p.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Tuesday, March 29, 2005, Hearing Room 3 upon evening adjournment.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Wednesday, March 30, 2005, 8:00 a.m. House Lounge.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Wednesday, March 30, 2005, 8:00 p.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 p.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Friday, April 1, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Thursday, March 17, 2005, Senate Lounge upon morning adjournment.
13 CSR 40-110.20, 13 CSR 40-11-.030.
The Committee will meet upon adjournment of both Houses.
Executive session may or may not follow.

JUDICIARY

Thursday, March 17, 2005, House Chamber side gallery upon morning adjournment.
Executive session

LOCAL GOVERNMENT

Thursday, March 17, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 76, HB 565, HB 253, HB 179
Executive session will be held on: HB 465, HB 405, HB 485, HB 480

RULES

Thursday, March 17, 2005, House Chamber side gallery upon morning adjournment.
Executive session may follow. AMENDED
Public hearings to be held on: HB 450, HCS HB 353, HB 375, HB 410,
HCS HB 518, 288, 418 & 635, HCS HB 628, HCS HB 255, HCS HB 532,
HB 707, HB 530, HB 685, HB 743

WAYS AND MEANS

Thursday, March 17, 2005, House Chamber side gallery upon morning adjournment.

Executive session will be held on: HB 461

HOUSE CALENDAR

FORTY-FIRST DAY, THURSDAY, MARCH 17, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 24

HOUSE BILLS FOR SECOND READING

HB 804 through HB 815

HOUSE BILLS FOR PERFECTION

- 1 HB 344 - Baker (123)
- 2 HB 376 - Guest
- 3 HCS HB 394, as amended - Byrd
- 4 HCS HB 388 - Yates
- 5 HCS HB 576 - Flook

HOUSE BILLS FOR PERFECTION - CONSENT

(3/10/05)

- 1 HCS HB 119 - Jones
- 2 HCS HB 215 - Pearce
- 3 HB 343, HCA 1 - Baker (123)
- 4 HB 345 - Baker (123)
- 5 HB 413 - Hubbard
- 6 HB 445 - Guest
- 7 HB 479 - Ervin
- 8 HB 524 - May

(3/14/05)

- 1 HB 69 - Rupp
- 2 HB 402 - Schaaf
- 3 HB 456 - Kuessner
- 4 HCS HB 474 - Yates
- 5 HB 486 - Bruns
- 6 HCS HB 508 - Pratt
- 7 HCS HB 515 - Wood
- 8 HB 596 - Schaaf

- 9 HB 638 - Cunningham (86)
- 10 HB 678 - Byrd
- 11 HB 684 - Lipke

(3/15/05)

- 1 HB 43 - Wallace
- 2 HB 53 - Swinger
- 3 HCS HB 108 - Schaaf
- 4 HB 155 - Ruestman
- 5 HB 236 - Goodman
- 6 HB 280 - Walsh
- 7 HB 342 - Baker (123)
- 8 HCS HB 362 - Lipke
- 9 HCS HB 422 - Black
- 10 HCS HB 448 - Villa
- 11 HB 453 - May
- 12 HCS HB 462 & 463 - Smith (118)
- 13 HB 487 - Bruns
- 14 HCS HB 513 - Zweifel
- 15 HCS HB 531 - Wright (137)
- 16 HB 618 - Bearden
- 17 HCS HB 631 - Portwood

(3/16/05)

- 1 HB 33 - Phillips
- 2 HB 180 - Johnson (47)
- 3 HB 219 - Salva
- 4 HB 258 - Cunningham (86)
- 5 HB 260 - Deeken
- 6 HB 261 - Deeken
- 7 HB 321 - Yates
- 8 HB 323 - Johnson (47)
- 9 HCS HB 334 - Franz
- 10 HB 395 - Wood
- 11 HCS HB 443 - Sander
- 12 HB 455 - Quinn
- 13 HB 473 - Yates
- 14 HB 528 - Cunningham (145)
- 15 HCS HB 563 - Rucker
- 16 HCS HB 568 - Stevenson
- 17 HCS HB 577 - Kuessner
- 18 HCS HB 606 - Lembke
- 19 HCS HB 630 - Pollock
- 20 HB 681 - Chappelle-Nadal
- 21 HB 688 - Byrd

(3/17/05)

- 1 HCS#2 HB 232 - Portwood
- 2 HB 600 - Cooper (155)

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 348, E.C. - Pearce
- 2 HB 564 - Boykins
- 3 HCS HB 437 - Jackson
- 4 HCS HB 58, E.C. - Johnson (47)
- 5 HCS HB 208 - Icet

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 243 - May
- 2 HB 397 - Henke
- 3 HB 423 - Kuessner
- 4 HB 431 - Wright (137)
- 5 HB 567 - Stevenson

SENATE BILL FOR SECOND READING

SCS SBs 221, 250 & 256

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 14, as amended - Lager

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-FIRST DAY, THURSDAY, MARCH 17, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father James M. Smith.

I arise today
Through God's strength to pilot me:
God's might to uphold me,
God's wisdom to guide me,
God's eye to look before me,
God's ear to hear me,
God's word to speak for me,
God's hand to guard me,
God's way to lie before me,
God's shield to protect me,
God's host to save me
From snares of devils,
From temptations of vices,
From everyone who shall wish me ill,
Afar and anear,
Alone and in multitude.

Christ with me, Christ before me, Christ behind me,
Christ in me, Christ beneath me, Christ above me,
Christ on my right, Christ on my left,
Christ when I lie down, Christ when I sit down, Christ when I arise,
Christ in the heart of every man who thinks of me,
Christ in the mouth of everyone who speaks of me,
Christ in every eye that sees me,
Christ in every ear that hears me.

From the Breastplate of St. Patrick

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chris Driesel and Shelby Hoppe.

The Journal of the fortieth day was approved as printed.

HOUSE CONCURRENT RESOLUTION

Representative Zweifel, et al., offered House Concurrent Resolution No. 27.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1322

through

House Resolution No. 1324 - Representative Pearce

House Resolution No. 1325 - Representative Johnson (61), et al.

House Resolution No. 1326 - Representative Quinn

House Resolution No. 1327

through

House Resolution No. 1329 - Representative Baker (123)

House Resolution No. 1330 - Representative Black

House Resolution No. 1331 - Representative Ruestman

House Resolution No. 1332 - Representative Wells

House Resolution No. 1333 - Representative Salva

House Resolution No. 1334 - Representative Shoemyer

House Resolution No. 1335

through

House Resolution No. 1348 - Representative Icet

House Resolution No. 1349

and

House Resolution No. 1350 - Representative Chappelle-Nadal

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 24 was read the second time.

SECOND READING OF HOUSE BILLS

HB 804 through **HB 815** were read the second time.

SECOND READING OF SENATE BILL

SCS SBs 221, 250 & 256 was read the second time.

THIRD READING OF HOUSE BILLS

HCS HB 348, relating to military preparedness and enhancement, was taken up by Representative Pearce.

On motion of Representative Pearce, **HCS HB 348** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bean	Behnen	Donnelly	Haywood	Hubbard
Johnson 61	Johnson 90	Lager	Low 39	Meadows
Wasson	Yaeger			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough

Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Donnelly	Haywood	Hubbard	Johnson 61
Johnson 90	Low 39	Meadows	Pearce	Rupp
Yaeger				

VACANCIES: 001

HB 564, relating to stolen license plate tabs, was taken up by Representative Boykins.

On motion of Representative Boykins, **HB 564** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs

Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Zweifel	Mr Speaker

NOES: 001

Franz

PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Donnelly	Haywood	Hubbard	Johnson 61
Johnson 90	Meadows	Rupp	Wallace	Yaeger
Young				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 437, relating to the Missouri Military Family Relief Fund, was taken up by Representative Jackson.

On motion of Representative Jackson, **HCS HB 437** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson

Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Cooper 158	Donnelly	Haywood	Hubbard
Johnson 61	Johnson 90	Meadows	Rupp	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 243, relating to a memorial highway, was taken up by Representative May.

On motion of Representative May, **HB 243** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kelly

Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Donnelly	Haywood	Hubbard	Johnson 61
Johnson 90	Meadows	Rupp	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 423, relating to a memorial highway, was taken up by Representative Kuessner.

On motion of Representative Kuessner, **HB 423** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hughes	Hunter	Icet	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers

Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Boykins	Donnelly	Haywood	Hubbard
Johnson 61	Johnson 90	Meadows	Rupp	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 431, relating to economic stimulus, was taken up by Representative Wright (137).

On motion of Representative Wright (137), **HB 431** was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Henke	Hobbs	Hoskins
Hughes	Hunter	Icet	Jackson	Johnson 47
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Salva

Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 003

Bowman	Lowe 44	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Boykins	Donnelly	Haywood	Hubbard
Johnson 61	Johnson 90	Meadows	Rupp	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 567, relating to condemnation proceedings, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **HB 567** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hughes	Hunter	Icet	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng

Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 010

Bean	Donnelly	Haywood	Hubbard	Johnson 61
Johnson 90	Meadows	Rucker	Rupp	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton assumed the Chair.

SIGNING OF SENATE BILL

All other business of the House was suspended while **CCS HCS SS SCS SBs 1 & 130** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **CCS SS SCS HCS HB 393** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SS SCS HCS HB 393** was delivered to the Governor by the Chief Clerk of the House.

Speaker Pro Tem Bearden resumed the Chair.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 14, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 14, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE BILL

HCS HB 58, relating to political subdivisions, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HCS HB 58** was read the third time and passed by the following vote:

AYES: 134

Aull	Avery	Baker 123	Baker 25	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Faith	Fares	Fisher
Flook	Fraser	George	Goodman	Guest
Harris 23	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Pratt	Quinn	Rector	Richard
Robb	Robinson	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 020

Barnitz	Casey	Darrough	Denison	El-Amin
Ervin	Franz	Harris 110	Henke	Jackson
Lembke	Portwood	Roark	Roorda	Selby
Stevenson	Walton	Whorton	Wood	Wright-Jones

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Donnelly	Haywood	Johnson 61	Johnson 90
Meadows	Rupp	Yaeger		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 134

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Day	Deeken	Dempsey
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fares	Fisher	Flook
Fraser	George	Goodman	Guest	Harris 110
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Pratt
Quinn	Rector	Richard	Robb	Robinson
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 016

Baker 25	Barnitz	Darrough	Daus	Davis
Ervin	Franz	Henke	Lembke	LeVota
Portwood	Roark	Selby	Whorton	Wildberger
Wright-Jones				

PRESENT: 002

Harris 23	Roorda
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ABSENT WITH LEAVE: 010

Bean	Denison	Donnelly	Haywood	Johnson 61
Johnson 90	Lampe	Meadows	Rucker	Yaeger

VACANCIES: 001

REFERRAL OF HOUSE RESOLUTIONS

HR 720 - Health Care Policy
HR 870 - Budget
HR 1135 - Rules
HR 1239 - Rules

REFERRAL OF HOUSE JOINT RESOLUTIONS

HJR 5 - Elementary and Secondary Education
HJR 19 - Elementary and Secondary Education
HJR 22 - Veterans
HJR 23 - Judiciary

REFERRAL OF HOUSE BILLS

HB 164 - Financial Institutions
HB 509 - Local Government
HB 608 - Elections
HB 669 - Retirement
HB 687 - Agriculture Policy
HB 706 - Conservation and Natural Resources
HB 729 - Professional Registration and Licensing
HB 737 - Local Government
HB 740 - Workforce Development and Workplace Safety
HB 741 - Judiciary
HB 742 - Higher Education
HB 744 - Agriculture Policy
HB 745 - Crime Prevention and Public Safety
HB 746 - Crime Prevention and Public Safety
HB 747 - Judiciary
HB 748 - Crime Prevention and Public Safety
HB 749 - Transportation
HB 750 - Corrections and Public Institutions
HB 751 - Transportation
HB 752 - Veterans
HB 753 - Higher Education
HB 754 - Tourism
HB 755 - Judiciary
HB 756 - Local Government
HB 757 - Crime Prevention and Public Safety
HB 758 - Utilities
HB 759 - Special Committee on General Laws
HB 760 - Transportation
HB 763 - Judiciary
HB 764 - Judiciary
HB 765 - Transportation

HB 766 - Transportation
HB 768 - Conservation and Natural Resources
HB 769 - Transportation
HB 770 - Health Care Policy
HB 771 - Special Committee on Education Funding
HB 772 - Corrections and Public Institutions
HB 773 - Crime Prevention and Public Safety
HB 774 - Ways and Means
HB 776 - Crime Prevention and Public Safety
HB 777 - Transportation
HB 779 - Ways and Means
HB 780 - Utilities
HB 781 - Elementary and Secondary Education
HB 783 - Professional Registration and Licensing
HB 784 - Veterans
HB 785 - Professional Registration and Licensing
HB 786 - Veterans
HB 787 - Job Creation and Economic Development
HB 788 - Children and Families
HB 790 - Judiciary
HB 791 - Corrections and Public Institutions
HB 792 - Local Government
HB 793 - Crime Prevention and Public Safety
HB 794 - Judiciary
HB 795 - Job Creation and Economic Development
HB 796 - Judiciary
HB 797 - Crime Prevention and Public Safety
HB 798 - Agriculture Policy
HB 799 - Children and Families
HB 800 - Elementary and Secondary Education
HB 802 - Health Care Policy
HB 803 - Professional Registration and Licensing
HB 804 - Retirement
HB 805 - Health Care Policy
HB 806 - Ways and Means
HB 807 - Judiciary
HB 809 - Local Government

REFERRAL OF SENATE BILL

SCS SB 69 - Corrections and Public Institutions

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 205**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ethics, Chairman Dempsey reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **2005-2006 Freshman Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

DATE: March 8, 2005

TO: Rep. Tom Dempsey, Majority Floor Leader

FROM: Rep. Charlie Denison

SUBJECT: 2005-2006 Freshman Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the 2005 Freshman Caucus.

Representative	District
/s/ Kathy L. Chinn	8
/s/ Sally A. Faith	15
/s/ Ed Robb	24
/s/ Judy Baker	25
/s/ Joe Aull	26
/s/ Martin T. Rucker	29
/s/ Jerry Nolte	33
/s/ Tim Flook	34
/s/ Bob Nance	36
/s/ Beth Low	39
/s/ Leonard Hughes, IV	42
/s/ Will Kraus	48
/s/ Michael Brown	50
/s/ Jeanette Mott Oxford	59
/s/ Rachel Storch	64
/s/ David Sater	68
/s/ John L. Bowman	70
/s/ Maria Chappelle-Nadal	72
/s/ T. Scott Muschany	87
/s/ Tim Meadows	101
/s/ Jeff Roorda	102
/s/ Ron Casey	103
/s/ Steven Tilley	106
/s/ Brad Robinson	107
/s/ Tom Loehner	112
/s/ Rodney Schad	115
/s/ Kenny Jones	117

/s/ Mike McGhee	122
/s/ Barney Fisher	125
/s/ Mike Parson	133
/s/ Charlie Denison	135
/s/ Sara Lampe	138
/s/ Raymond Weter	142
/s/ Darrell Pollock	146
/s/ Don Wells	147
/s/ David A. Day	148
/s/ Ward Franz	151
/s/ Nathan Cooper	158
/s/ Billy Pat Wright	159
/s/ Terry Swinger	162

Mr. Speaker: Your Committee on Ethics, to which was referred **additions to the Legislative Study Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

FROM: Representative Barbara Fraser

DATE: March 14, 2005

RE: Legislative Study Caucus

In accordance with Section 105.473.3(2)(c)d RSMo. 2000, please add the following representative of the 93rd General Assembly as a member of the Legislative Study Caucus.

Representative	District
/s/ Barbara Fraser	83

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was returned **HCS HB 131**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 738**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Smith (118) reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SCS SBs 202, 33, 45, 183 & 217**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Ervin reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 387**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1117**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 255**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 353**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time of two (2) hours for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 375**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 410**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 450**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 518, 288, 418 & 635**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 530**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 532**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 628**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of four (4) hours for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 685**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 707**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 743**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent:

HCS HB 119
HCS HB 215
HB 343, HCA 1
HB 345
HB 413
HB 445
HB 479
HB 524

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 816, introduced by Representatives Bivins, Stevenson, Lembke, Portwood, Nieves, Day, Schneider, Avery, May, Deeken, Weter and Kingery, relating to the Missouri homestead preservation act.

HB 817, introduced by Representatives Vogt, Yaeger, Kratky, Fares, Spreng, Bivins, Walsh, Lembke, Wildberger, Avery and Schoemehl, relating to the designation of a memorial highway.

HB 818, introduced by Representative Schaaf, relating to newborn screening.

HB 819, introduced by Representative Schaaf, relating to funding for the department of health and senior services.

HB 820, introduced by Representative Wright-Jones, to authorize the sale of certain state property.

HB 821, introduced by Representative Wright-Jones, relating to jury duty.

HB 822, introduced by Representatives Nolte, Skaggs, Sater, Smith (118), Wilson (119), Phillips and Emery, relating to controlled substances.

HB 823, introduced by Representatives Tilley, Jetton, Rupp, Cooper (120), Nieves, Byrd, Pratt, Johnson (47), Wells, Parson and Jones, relating to a model school wellness program.

HB 824, introduced by Representative Hobbs, relating to regulation of air contaminants.

HB 825, introduced by Representatives Chinn, Black, Roark, Goodman, Nance, Moore, Nolte, Ruestman, Dethrow, Sander, Robb, Faith, Self, Loehner, Jackson, Weter, Cunningham (145), Hunter, Smith (14) and Guest, relating to the powers of local school boards.

HB 826, introduced by Representatives Phillips and Pratt, relating to guardianship of minors.

HB 827, introduced by Representatives Portwood, Wright (137), Nolte and Lembke, relating to continuation of medical assistance for employed disabled persons.

HB 828, introduced by Representatives Ruestman and Hunter, relating to the prevailing wage.

HB 829, introduced by Representative Wilson (130), relating to hate crimes.

HB 830, introduced by Representatives Yaeger, Witte, Darrough, Wright-Jones, Harris (23), Whorton, Bringer, Wildberger, Meadows, Chappelle-Nadal, LeVota, Donnelly and Dougherty, relating to state purchasing.

HB 831, introduced by Representatives Robb, Muschany, Nieves and Hubbard, relating to charter schools.

HB 832, introduced by Representatives Sanders Brooks, Pratt, Lowe (44), Johnson (47), Meiners, El-Amin, Bland, Brown (50), Hoskins, Low (39), Curls, Burnett, LeVota, Harris (23), Hubbard, Boykins, Walton and Hughes, relating to restrictive covenants.

HB 833, introduced by Representative St. Onge, relating to multimodal transportation capital improvement bonds.

HB 834, introduced by Representative Skaggs, relating to commercial solicitations.

HB 835, introduced by Representatives Baker (25), Lampe, Kratky, Lowe (39), Skaggs, Wildberger, Zweifel, Sater, Schaaf, Threlkeld, Page, Schoemehl, Walton, Oxford, Wright-Jones, Bland, Cooper (155) and Shoemyer, relating to the Missouri surgeon general.

HB 836, introduced by Representative Spreng, relating to removable trailer hitches.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 28**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to rebates of copayments to patients with chronic conditions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 133**, entitled:

An act to repeal section 33.103, RSMo, and to enact in lieu thereof one new section relating to cafeteria plans for state employees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS #2 SB 155**, entitled:

An act to repeal section 210.152, RSMo, and to enact in lieu thereof one new section relating to reporting of child abuse and neglect.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 182**, entitled:

An act to repeal sections 323.020 and 323.060, RSMo, and to enact in lieu thereof three new sections relating to liquefied petroleum gases, with an effective date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 261**, entitled:

An act to repeal section 379.943, RSMo, and to enact in lieu thereof one new section relating to health insurance, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 265**, entitled:

An act to repeal section 247.085, RSMo, and to enact in lieu thereof one new section relating to public water supply districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 279**, entitled:

An act to repeal sections 400.3-103, 400.3-104, 400.3-416, 400.3-417, 400.4-207, and 400.4-208, RSMo, and to enact in lieu thereof six new sections relating to demand drafts under the uniform commercial code.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 288**, entitled:

An act to authorize the conveyance of property owned by the state in Nodaway County to the Delta Nu Teke Association.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 289**, entitled:

An act to repeal section 540.031, RSMo, and to enact in lieu thereof one new section relating to duties of grand juries.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 298**, entitled:

An act to repeal sections 168.211 and 168.261, RSMo, and to enact in lieu thereof two new sections relating to the powers of the St. Louis public school district superintendent.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 299**, entitled:

An act to repeal section 168.221, RSMo, and to enact in lieu thereof one new section relating to metropolitan school district principals.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 302**, entitled:

An act to repeal section 162.601, RSMo, and to enact in lieu thereof one new section relating to school board elections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 306**, entitled:

An act to repeal section 105.458, RSMo, and to enact in lieu thereof one new section relating to school board members.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 307**, entitled:

An act to repeal section 105.454, RSMo, and to enact in lieu thereof one new section relating to city boards.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 308**, entitled:

An act to repeal sections 355.716 and 355.871, RSMo, and to enact in lieu thereof two new sections relating to not-for-profit corporations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 364**, entitled:

An act to authorize the board of governors of Southwest Missouri State University to convey property in Howell County, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 367**, entitled:

An act to repeal section 105.935, RSMo, and to enact in lieu thereof one new section relating to state employees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 422**, entitled:

An act to repeal section 610.123, RSMo, section 577.054 as enacted by house substitute for senate substitute for senate committee substitute for senate bills nos. 1233, 840, & 843, ninety-second general assembly, second regular session, and section 577.054 as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and to enact in lieu thereof two new sections relating to expungement petitions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 423**, entitled:

An act to repeal sections 488.5050, 650.050, 650.052, and 650.055, RSMo, and to enact in lieu thereof of four new sections relating to a DNA profiling system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 501**, entitled:

An act to amend chapter 630, RSMo, by adding thereto two new sections relating to the office of comprehensive child mental health.

In which the concurrence of the House is respectfully requested.

LETTER OF OBJECTION

March 17, 2005

Mr. Steve Davis, Chief Clerk
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Clerk:

We, the undersigned members of the House of Representatives hereby object to the placement of **House Committee Substitute for House Bill No. 474** on the House Bills for Perfection - Consent Calendar.

Sincerely,

/s/ John Burnett
District 40

/s/ Paul LeVota
District 52

/s/ Tim Flook
District 34

/s/ Mike Vogt
District 66

/s/ Sherman Parker
District 12

ADJOURNMENT

Representative Dempsey moved that the House stand adjourned until 10:00 a.m., Tuesday, March 22, 2005.

Which motion was adopted by the following vote:

AYES: 125

Baker 123	Baker 25	Bearden	Behnen	Bivins
Black	Bland	Bowman	Boykins	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Day	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Henke
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kuessner	Lager	Lampe
LeVota	Liese	Lipke	Loehner	Lowe 44
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Sater	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Villa
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Young	Zweifel	Mr Speaker

NOES: 016

Aull	Avery	Brooks	Darrough	Daus
Davis	Flook	Kraus	Lembke	Low 39
Nieves	Portwood	Pratt	Stevenson	Vogt
Yates				

PRESENT: 001

Wallace

ABSENT WITH LEAVE: 020

Barnitz	Bean	Denison	Donnelly	George
Haywood	Hughes	Johnson 61	Johnson 90	Marsh
Meadows	Meiners	Salva	Schaaf	Shoemyer
Viebrock	Wagner	Walsh	Wildberger	Yaeger

VACANCIES: 001

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Sara Lampe, District 138, hereby state and affirm that my vote on the motion to adopt the emergency clause for House Committee Substitute for House Bill No. 58 in the House Journal for Thursday, March 17, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2005.

/s/ Sara Lampe
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Martin T. Rucker, District 29, hereby state and affirm that my vote on the motion to adopt the emergency clause for House Committee Substitute for House Bill No. 58 in the House Journal for Thursday, March 17, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of March 2005.

/s/ Martin T. Rucker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 17th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 29, 2005, 1:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearing to be held on: HB 666

BUDGET

Tuesday, March 29, 2005, 12:00 p.m. Hearing Room 3.

Appropriation recommendations/Markup.

Executive session may follow. CANCELLED

BUDGET

Tuesday, March 29, 2005, Hearing Room 3 upon evening adjournment.

Appropriation recommendations/Markup.

Executive session may follow.

BUDGET

Wednesday, March 30, 2005, 8:00 a.m. House Lounge.

Appropriation recommendations/Markup.

Executive session may follow.

BUDGET

Wednesday, March 30, 2005, 8:00 p.m. Hearing Room 3.

Appropriation recommendations/Markup.

Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 3.

Appropriation recommendations/Markup.

Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 p.m. Hearing Room 3.

Appropriation recommendations/Markup.

Executive session may follow.

BUDGET

Friday, April 1, 2005, 8:00 a.m. Hearing Room 3.

Appropriation recommendations/Markup.

Executive session may follow.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 29, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 498, HB 499, HB 593, HB 439

ELECTIONS

Tuesday, March 29, 2005, Hearing Room 5 upon afternoon adjournment.

Public hearings to be held on: HB 117, HB 728

Executive session will be held on: HB 149, HJR 7

HEALTH CARE POLICY

Wednesday, March 30, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. Hearing to continue on HB 271

Public hearings to be held on: HB 585, HB 696

HIGHER EDUCATION

Wednesday, March 30, 2005, House Chamber side gallery upon morning recess.

Executive session will be held on: HB 440

HOUSE CALENDAR

FORTY-SECOND DAY, TUESDAY, MARCH 22, 2005

HOUSE BILLS FOR SECOND READING

HB 816 through HB 836

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 16 - Chinn

HOUSE BILLS FOR PERFECTION

- 1 HB 344 - Baker (123)
- 2 HB 376 - Guest
- 3 HCS HB 394, as amended - Byrd
- 4 HCS HB 388 - Yates
- 5 HCS HB 576 - Flook
- 6 HCS HB 64 - Sutherland
- 7 HCS HB 286 - Bland
- 8 HCS HB 519 - Roark (3 hours debate on Perfection)
- 9 HB 539 - Icet
- 10 HCS HB 474 - Yates

HOUSE BILLS FOR PERFECTION - CONSENT

(3/14/05)

- 1 HB 69 - Rupp
- 2 HB 402 - Schaaf
- 3 HB 456 - Kuessner
- 4 HB 486 - Bruns
- 5 HCS HB 508 - Pratt
- 6 HCS HB 515 - Wood
- 7 HB 596 - Schaaf

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- 8 HB 638 - Cunningham (86)
- 9 HB 678 - Byrd
- 10 HB 684 - Lipke

(3/15/05)

- 1 HB 43 - Wallace
- 2 HB 53 - Swinger
- 3 HCS HB 108 - Schaaf
- 4 HB 155 - Ruestman
- 5 HB 236 - Goodman
- 6 HB 280 - Walsh
- 7 HB 342 - Baker (123)
- 8 HCS HB 362 - Lipke
- 9 HCS HB 422 - Black
- 10 HCS HB 448 - Villa
- 11 HB 453 - May
- 12 HCS HB 462 & 463 - Smith (118)
- 13 HB 487 - Bruns
- 14 HCS HB 513 - Zweifel
- 15 HCS HB 531 - Wright (137)
- 16 HB 618 - Bearden
- 17 HCS HB 631 - Portwood

(3/16/05)

- 1 HB 33 - Phillips
- 2 HB 180 - Johnson (47)
- 3 HB 219 - Salva
- 4 HB 258 - Cunningham (86)
- 5 HB 260 - Deeken
- 6 HB 261 - Deeken
- 7 HB 321 - Yates
- 8 HB 323 - Johnson (47)
- 9 HCS HB 334 - Franz
- 10 HB 395 - Wood
- 11 HCS HB 443 - Sander
- 12 HB 455 - Quinn
- 13 HB 473 - Yates
- 14 HB 528 - Cunningham (145)
- 15 HCS HB 563 - Rucker
- 16 HCS HB 568 - Stevenson
- 17 HCS HB 577 - Kuessner
- 18 HCS HB 606 - Lembke
- 19 HCS HB 630 - Pollock
- 20 HB 681 - Chappelle-Nadal
- 21 HB 688 - Byrd

(3/17/05)

- 1 HCS#2 HB 232 - Portwood
- 2 HB 600 - Cooper (155)

(3/22/05)

- 1 HB 450 - Meiners
- 2 HB 685 - Franz
- 3 HB 707 - Cunningham (145)
- 4 HB 743 - Kingery

HOUSE BILLFOR THIRD READING

HCS HB 208 - Icet

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 397 - Henke
- 2 HCS HB 119, E.C. - Jones
- 3 HCS HB 215 - Pearce
- 4 HB 343 - Baker (123)
- 5 HB 345 - Baker (123)
- 6 HB 413, E.C. - Hubbard
- 7 HB 445 - Guest
- 8 HB 479 - Ervin
- 9 HB 524 - May

SENATE BILLS FOR SECOND READING

- 1 SCS SB 28
- 2 SCS SB 133
- 3 SCS#2 SB 155
- 4 SCS SB 182
- 5 SB 261
- 6 SB 265
- 7 SB 279
- 8 SB 288
- 9 SCS SB 289
- 10 SB 298
- 11 SB 299
- 12 SCS SB 302
- 13 SB 306
- 14 SB 307
- 15 SB 308
- 16 SB 364
- 17 SB 367

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18 SB 422

19 SCS SB 423

20 SCS SB 501

BILL CARRYING REQUEST MESSAGE

SCS HCS HB 14, as amended (request Senate recede/grant conference) - Lager

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11, (2-17-05, Pages 351-352) - Sander

2 HCR 4, (3-02-05, Pages 467-468) - Burnett

3 HCR 9, (2-17-05, Page 351) - Bivins

4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)

5 HCR 20, (3-09-05, Page 553) - Rupp

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-SECOND DAY, TUESDAY, MARCH 22, 2005

The House met pursuant to adjournment.

Representative Bruns in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Macie Roorda, Lydia Roorda, Ellie Wilfong and Kristy Greey.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1351

through

House Resolution No. 1364 - Representative Portwood

House Resolution No. 1365

through

House Resolution No. 1378 - Representative Lembke

House Resolution No. 1379

through

House Resolution No. 1392 - Representative Schad

House Resolution No. 1393 - Representative Weter

House Resolution No. 1394 - Representative Richard

House Resolution No. 1395 - Representative Day

House Resolution No. 1396

through

House Resolution No. 1423 - Representative Lembke

SECOND READING OF HOUSE BILLS

HB 816 through **HB 836** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 28, SCS SB 133, SCS #2 SB 155, SCS SB 182, SB 261, SB 265, SB 279, SB 288, SCS SB 289, SB 298, SB 299, SCS SB 302, SB 306, SB 307, SB 308, SB 364, SB 367, SB 422, SCS SB 423 and SCS SB 501 were read the second time.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 14, as amended** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Champion, Dougherty and Bray.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 539**, entitled:

An act to repeal sections 178.661, 178.662, 178.664, 178.666, 178.671, 178.673, 208.010, 208.146, 208.151, 208.152, 201.162, 208.215, 208.225, 208.550, 208.553, 208.556, 208.559, 208.562, 208.565, 208.568, 208.571, 208.640, 453.072, and 453.073, RSMo, and to enact in lieu thereof thirty new sections relating to health care and social services, with penalty provisions and an emergency clause and termination date for a certain section.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 14: Representatives Lager, Icet, Sutherland, LeVota and Shoemyer.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 69, HB 402, HB 456, HB 486, HCS HB 508, HCS HB 515, HB 596, HB 638, HB 678 and HB 684.**

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 25, introduced by Representatives Kraus, Flook, Yates and Threlkeld, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 837, introduced by Representatives Brown (50), Denison, Wright (159), Fisher, Pratt, McGhee, Wildberger, Roorda, Flook, Richard, Meadows, Bringer, Skaggs, Aull, Harris (110), Curls, Kratky, Schoemehl, Low (39), Robinson, Dougherty, El-Amin, Bowman, Meiners, Rucker, Villa, Tilley, Hubbard, Boykins, Casey, Hoskins, Bland, Hughes, Storch, Baker (25), Burnett and Donnelly, relating to a tax credit for employers who hire high school students for summer jobs.

HB 838, introduced by Representatives Flook and Nolte, relating to income taxation.

HB 839, introduced by Representative Pearce, relating to tax credits.

HB 840, introduced by Representative Pearce, relating to evidence of hazardous materials.

The following members' presence was noted: Roorda and Shoemyer.

ADJOURNMENT

On motion of Representative Bruns, the House adjourned until 4:00 p.m., Tuesday, March 29, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, March 29, 2005, 1:00 p.m. Hearing Room 1.

Executive session may follow. **AMENDED**

Public hearings to be held on: HB 666, HB 744

BUDGET

Tuesday, March 29, 2005, 12:00 p.m. Hearing Room 3.

Appropriation recommendations/Markup.

Executive session may follow. **CANCELLED**

BUDGET

Tuesday, March 29, 2005, Hearing Room 3 upon evening adjournment.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Wednesday, March 30, 2005, 8:00 a.m. House Lounge.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Wednesday, March 30, 2005, 8:00 p.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 p.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Friday, April 1, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 29, 2005, 6:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 498, HB 499, HB 593, HB 439

ELECTIONS

Tuesday, March 29, 2005, Hearing Room 5 upon afternoon adjournment.
Public hearings to be held on: HB 117, HB 728
Executive session will be held on: HB 149, HJR 7

HEALTH CARE POLICY

Wednesday, March 30, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. Hearing to continue on HB 271
Public hearings to be held on: HB 585, HB 696

HIGHER EDUCATION

Wednesday, March 30, 2005, House Chamber side gallery upon morning recess.
Executive session will be held on: HB 440

INSURANCE POLICY

Tuesday, March 29, 2005, Hearing Room 7 upon afternoon adjournment. AMENDED
Public hearings to be held on: HB 30, HB 88, HB 622

LOCAL GOVERNMENT

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 756, HB 789, HB 809, HB 686, HB 732, HB 380

TRANSPORTATION

Wednesday, March 30, 2005, 8:00 a.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 697, HB 591, HB 612, HB 777

HOUSE CALENDAR

FORTY-THIRD DAY, TUESDAY, MARCH 29, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 25

HOUSE BILLS FOR SECOND READING

HB 837 through HB 840

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 16 - Chinn

HOUSE BILLS FOR PERFECTION

- 1 HB 344 - Baker (123)
- 2 HB 376 - Guest
- 3 HCS HB 394, as amended - Byrd
- 4 HCS HB 388 - Yates
- 5 HCS HB 576 - Flook
- 6 HCS HB 64 - Sutherland
- 7 HCS HB 286 - Bland

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8	HCS HB 519 - Roark	(3 hours debate on Perfection)
9	HB 539 - Icet	
10	HCS HB 474 - Yates	

HOUSE BILLS FOR PERFECTION - CONSENT

(3/15/05)

1	HB 43 - Wallace
2	HB 53 - Swinger
3	HCS HB 108 - Schaaf
4	HB 155 - Ruestman
5	HB 236 - Goodman
6	HB 280 - Walsh
7	HB 342 - Baker (123)
8	HCS HB 362 - Lipke
9	HCS HB 422 - Black
10	HCS HB 448 - Villa
11	HB 453 - May
12	HCS HB 462 & 463 - Smith (118)
13	HB 487 - Bruns
14	HCS HB 513 - Zweifel
15	HCS HB 531 - Wright (137)
16	HB 618 - Bearden
17	HCS HB 631 - Portwood

(3/16/05)

1	HB 33 - Phillips
2	HB 180 - Johnson (47)
3	HB 219 - Salva
4	HB 258 - Cunningham (86)
5	HB 260 - Deeken
6	HB 261 - Deeken
7	HB 321 - Yates
8	HB 323 - Johnson (47)
9	HCS HB 334 - Franz
10	HB 395 - Wood
11	HCS HB 443 - Sander
12	HB 455 - Quinn
13	HB 473 - Yates
14	HB 528 - Cunningham (145)
15	HCS HB 563 - Rucker
16	HCS HB 568 - Stevenson
17	HCS HB 577 - Kuessner

- 18 HCS HB 606 - Lembke
- 19 HCS HB 630 - Pollock
- 20 HB 681 - Chappelle-Nadal
- 21 HB 688 - Byrd

(3/17/05)

- 1 HCS#2 HB 232 - Portwood
- 2 HB 600 - Cooper (155)

(3/22/05)

- 1 HB 450 - Meiners
- 2 HB 685 - Franz
- 3 HB 707 - Cunningham (145)
- 4 HB 743 - Kingery

HOUSE BILL FOR THIRD READING

HCS HB 208 - Icet

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 397 - Henke
- 2 HCS HB 119, E.C. - Jones
- 3 HCS HB 215 - Pearce
- 4 HB 343 - Baker (123)
- 5 HB 345 - Baker (123)
- 6 HB 413, E.C. - Hubbard
- 7 HB 445 - Guest
- 8 HB 479 - Ervin
- 9 HB 524 - May
- 10 HB 69 - Rupp
- 11 HB 402 - Schaaf
- 12 HB 456 - Kuessner
- 13 HB 486 - Bruns
- 14 HCS HB 508, E.C. - Pratt
- 15 HCS HB 515 - Wood
- 16 HB 596 - Schaaf
- 17 HB 638 - Cunningham (86)
- 18 HB 678 - Byrd
- 19 HB 684 - Lipke

SENATE BILL FOR SECOND READING

SS SB 539

BILL IN CONFERENCE

SCS HCS HB 14, as amended - Lager

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 5 HCR 20, (3-09-05, Page 553) - Rupp

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-THIRD DAY, TUESDAY, MARCH 29, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

Almighty God, God of life and God of time, we thank You for the gift of time away on spring break. We thank You for time of rest and leisure. We thank You for time of catching up.

God of life, we thank You for springtime and for its new life budding everywhere. May this evidence in nature of Your creative power, bring us the promise of Your power working in us, now that we are back in session. We pray and You answer.

“If men (and women) desire wisdom, she will give them water of knowledge to drink. They will never waver from the truth, they will stand firm forever.” (Sirach 15:3-4)

With the help of Your grace of wisdom and of Your grace in its many other forms, may our work in this body this Spring be life-giving for the people of our state.

We pray to You, O Lord our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dylan McGhee, Jonathon Sullivan, Jacob Atkinson, and Courtney Davis.

The Journal of the forty-first day was approved as corrected.

The Journal of the forty-second day was approved as printed.

HOUSE CONCURRENT RESOLUTIONS

Representative Salva offered House Concurrent Resolution No. 28.

Representative Page offered House Concurrent Resolution No. 29.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1424	-	Representative Johnson (90)
House Resolution No. 1425	-	Representative McGhee
House Resolution No. 1426	-	Representative Wells
House Resolution No. 1427	-	Representative Emery

House Resolution No. 1428 - Representative Brown (30)
 House Resolution No. 1429 - Representative Munzlinger
 House Resolution No. 1430 - Representative George
 House Resolution No. 1431 - Representative Emery
 House Resolution No. 1432 - Representative Weter
 House Resolution No. 1433 - Representative McGhee
 House Resolution No. 1434
 and
 House Resolution No. 1435 - Representative Bivins
 House Resolution No. 1436
 and
 House Resolution No. 1437 - Representative Munzlinger
 House Resolution No. 1438
 through
 House Resolution No. 1451 - Representative Jackson
 House Resolution No. 1452 - Representative Moore
 House Resolution No. 1453
 through
 House Resolution No. 1457 - Representative Cooper (158)
 House Resolution No. 1458
 through
 House Resolution No. 1463 - Representative Lager
 House Resolution No. 1464
 through
 House Resolution No. 1491 - Representative Bruns
 House Resolution No. 1492 - Representative Bean
 House Resolution No. 1493
 through
 House Resolution No. 1496 - Representative Flook
 House Resolution No. 1497
 through
 House Resolution No. 1548 - Representative Sander
 House Resolution No. 1549 - Representative Jones
 House Resolution No. 1550 - Representative Wagner
 House Resolution No. 1551 - Representative Tilley
 House Resolution No. 1552
 through
 House Resolution No. 1565 - Representative Hobbs
 House Resolution No. 1566 - Representative Johnson (47)
 House Resolution No. 1567 - Representative Wallace
 House Resolution No. 1568 - Representative Smith (118)

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 25 was read the second time.

SECOND READING OF HOUSE BILLS

HB 837 through **HB 840** were read the second time.

SECOND READING OF SENATE BILL

SS SB 539 was read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 119, relating to state employee life insurance, was taken up by Representative Jones.

On motion of Representative Jones, **HCS HB 119** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Behnen	Bowman	Boykins	Brooks	El-Amin
Harris 23	Johnson 90	Meadows	Pearce	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Behnen	Bowman	Boykins	Brooks	El-Amin
Harris 23	Johnson 90	Meadows	Pearce	

VACANCIES: 001

HB 343, relating to county budget officers, was taken up by Representative Baker (123).

On motion of Representative Baker (123), **HB 343** was read the third time and passed by the following vote:

AYES: 135

Aull	Avery	Baker 123	Bean	Bearden
Bivins	Black	Bland	Bowman	Bringer
Brown 30	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Curls	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Guest	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McGhee
Meiners	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parker	Parson
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 013

Baker 25	Barnitz	Cunningham 86	Harris 110	Haywood
Low 39	Moore	Roark	Robb	Shoemyer
Storch	Whorton	Wildberger		

PRESENT: 005

Brown 50	Darrough	Henke	Johnson 61	Oxford
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ABSENT WITH LEAVE: 009

Behnen	Boykins	Brooks	El-Amin	Goodman
Harris 23	Johnson 90	Meadows	Pearce	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 345, relating to county planning boards, was taken up by Representative Baker (123).

On motion of Representative Baker (123), **HB 345** was read the third time and passed by the following vote:

AYES: 138

Aull	Avery	Baker 123	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Brown 30	Brown 50	Bruns	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Haywood	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 016

Baker 25	Bringer	Burnett	Harris 110	Henke
Hughes	Johnson 61	Lampe	Low 39	Robinson
Roorda	Rucker	Shoemyer	Storch	Whorton
Wildberger				

PRESENT: 000

ABSENT WITH LEAVE: 008

Boykins	Brooks	El-Amin	Harris 23	Johnson 90
Meadows	Pearce	Schneider		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 413, relating to the bioterrorism vaccination program, was taken up by Representative Hubbard.

On motion of Representative Hubbard, **HB 413** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Bringer	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Icet	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pollock	Pratt
Quinn	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 011

Davis	Emery	Hunter	Jackson	Lowe 44
Phillips	Portwood	Rector	Sander	Stevenson
Viebrock				

PRESENT: 000

ABSENT WITH LEAVE: 008

Boykins	Brooks	El-Amin	George	Harris 23
Johnson 90	Meadows	Pearce		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Bringer	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pratt
Quinn	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 010

Davis	Emery	Jackson	Myers	Phillips
Pollock	Portwood	Rector	Sander	Stevenson

PRESENT: 000

ABSENT WITH LEAVE: 008

Boykins	Brooks	El-Amin	George	Harris 23
Johnson 90	Meadows	Pearce		

VACANCIES: 001

HB 445, relating to municipal ordinances, was taken up by Representative Guest.

On motion of Representative Guest, **HB 445** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 003

Barnitz	Harris 110	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 007

Boykins	Harris 23	Hughes	Johnson 90	Meadows
Pearce	Stevenson			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 479, relating to regional recreational districts, was taken up by Representative Ervin.

On motion of Representative Ervin, **HB 479** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Boykins	George	Harris 23	Johnson 90	Meadows
Pearce				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 524, relating to lobbyists, was taken up by Representative May.

On motion of Representative May, **HB 524** was read the third time and passed by the following vote:

AYES: 123

Avery	Baker 123	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Faith
Fares	Fisher	Franz	George	Goodman
Guest	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kratky	Lager
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Myers	Nieves	Parker
Parson	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Mr Speaker		

NOES: 028

Aull	Baker 25	Bringer	Brooks	Brown 30
Cunningham 86	Curls	El-Amin	Ervin	Flook
Fraser	Harris 110	Hughes	Jolly	Kraus
Lampe	Low 39	Muschany	Nance	Nolte
Oxford	Page	Sander	Shoemyer	Skaggs
Storch	Yaeger	Zweifel		

PRESENT: 003

Brown 50	Johnson 61	Threlkeld
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ABSENT WITH LEAVE: 008

Boykins	Harris 23	Johnson 90	Kuessner	Meadows
Pearce	Smith 118	Tilley		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 69, relating to domestic insurer investments, was taken up by Representative Rupp.

On motion of Representative Rupp, **HB 69** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Skaggs	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 003

Barnitz	Shoemyer	Whorton
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PRESENT: 003

Brooks	El-Amin	Rucker
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ABSENT WITH LEAVE: 006

Boykins	Harris 23	Johnson 90	Meadows	Pearce
Smith 118				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 402, relating to podiatrists, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HB 402** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Bringer	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Boykins	Brooks	El-Amin	Harris 23	Johnson 90
Meadows	Pearce			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 456, relating to grand jury duties, was taken up by Representative Kuessner.

On motion of Representative Kuessner, **HB 456** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Bringer	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Boykins	Brooks	Harris 23	Johnson 90	Meadows
Pearce				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 486, relating to sexual offender treatment, was taken up by Representative Bruns.

On motion of Representative Bruns, **HB 486** was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 006

Baker 25	Barnitz	Page	Wells	Whorton
Wildberger				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 006

Boykins	Brooks	Harris 23	Johnson 90	Meadows
Pearce				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 515, relating to tourism community enhancement districts, was taken up by Representative Wood.

On motion of Representative Wood, **HCS HB 515** was read the third time and passed by the following vote:

AYES: 102

Avery	Bean	Bearden	Behnen	Bivins
Black	Bland	Bowman	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dixon	El-Amin	Emery
Faith	Fares	Fisher	Goodman	Guest
Haywood	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Jones
Kelly	Kingery	Kratky	Kuessner	Lager
Lampe	Lembke	Liese	Lipke	Loehner
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Phillips	Pollock
Portwood	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Schaaf	Schad
Schlottach	Schneider	Selby	Self	Smith 118
Smith 14	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wilson 130	Wood	Wright 137	Wright 159
Yaeger	Mr Speaker			

NOES: 050

Aull	Baker 123	Baker 25	Barnitz	Bringer
Brown 30	Brown 50	Burnett	Chappelle-Nadal	Casey
Corcoran	Daus	Dethrow	Donnelly	Dougherty
Dusenberg	Ervin	Flook	Franz	Fraser
Harris 110	Henke	Hughes	Jolly	Kraus
LeVota	Low 39	Lowe 44	Oxford	Page
Pratt	Quinn	Robinson	Roorda	Rucker
Salva	Schoemehl	Shoemyer	Skaggs	Storch
Vogt	Wagner	Walsh	Wildberger	Wilson 119
Witte	Wright-Jones	Yates	Young	Zweifel

PRESENT: 004

Brooks	Darrough	George	Spreng
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ABSENT WITH LEAVE: 006

Boykins	Harris 23	Johnson 90	Meadows	Pearce
Sater				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 539 - Special Committee on General Laws

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 43, HB 53, HCS HB 108, HB 155, HB 236, HB 280, HB 342, HCS HB 362, HCS HB 422, HCS HB 448, HB 453, HCS HBs 462 & 463, HB 487, HCS HB 513, HCS HB 531, HB 618 and HCS HB 631.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 841, introduced by Representative Cooper (120), relating to the head injury advisory council.

HB 842, introduced by Representative Sanders Brooks, relating to charter schools.

HB 843, introduced by Representatives Lampe, Fraser, Harris (23), Donnelly, Aull, Roorda, Walton, Oxford, Casey, Baker (25), Schoemehl, Chappelle-Nadal, Wallace, Harris (110), Yaeger, Lowe (44), Dougherty, Jolly, Low (39), Johnson (47) and Burnett, relating to bullying in schools.

HB 844, introduced by Representative Meadows, relating to the small business health fairness act of 2005.

HB 845, introduced by Representatives Boykins, Walton, Haywood and Wright-Jones, relating to chronic kidney disease.

HB 846, introduced by Representative Page, relating to securities regulation.

HB 847, introduced by Representative Tilley, relating to impaired pharmacists.

HB 848, introduced by Representative Pratt, relating to sovereign immunity.

HB 849, introduced by Representative Robb, relating to salary schedules for certain county officials.

HB 850, introduced by Representative Yates, relating to driver's license reinstatement fees.

HB 851, introduced by Representatives Sutherland and Loehner, relating to the designation of a bridge.

HB 852, introduced by Representative Smith (14), relating to license plates.

HB 853, introduced by Representatives Sander, Fisher, Quinn, Munzlinger, Bringer, Hobbs, Day, Witte, Rucker, Swinger, Loehner, Wright (159), Moore, Dethrow, Myers, Black, Bean, Threlkeld, Schad, Shoemyer, Dougherty, Kuessner, Henke, Harris (110), Aull, Nance, Chinn and Whorton, relating to fuel ethanol producer incentive fund.

HB 854, introduced by Representatives Richard, Jetton, McGhee, Yates, Wasson, Lembke, Page, Wilson (119), Swinger, Hobbs, Franz, Chinn, Cunningham (145), Sater, Bearden, Dempsey, Nieves, Lager, Myers, Quinn, Smith (118), Stefanick, Rector, Black, Phillips, Moore, Ervin, Baker (123), St. Onge, Lipke, May, Byrd, Pollock, Jones, Wells, Muschany, Ruestman, Cooper (158), Faith, Day, Threlkeld, Schaaf, Bean, Wilson (130), Wood, Cooper (155), Hunter, Self, Wallace, Stevenson, Kelly, Dixon, Roark, Cooper (120), Goodman, Icet and Kraus, relating to the establishment of the Missouri quality jobs program.

HB 855, introduced by Representatives Wasson, Behnen, Dethrow, Viebrock, Richard, Nolte, Denison, Shoemyer, Dixon, Schaaf, Cunningham (145), Page, Schoemehl, Dougherty, Parson, Bringer and Jones, relating to distant dental hygienist learning programs.

HB 856, introduced by Representatives Lampe, Denison, Low (39), Brown (50) and Casey, relating to marital and family therapy.

HB 857, introduced by Representative Roorda, relating to altering or falsifying drug or alcohol tests or test results.

HB 858, introduced by Representatives Hobbs, Byrd, Dempsey, Quinn, Smith (118), Richard, Myers, Stevenson, Munzlinger and Baker (123), relating to eminent domain.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 32**, entitled:

An act to repeal sections 567.080 and 573.503, RSMo, and to enact in lieu thereof ten new sections relating to sexually-oriented businesses, with penalty provisions and a severability clause.

In which the concurrence of the House is respectfully requested.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

March 29, 2005

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
93rd GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393** entitled:

AN ACT

To repeal section 355.176, 408.040, 490.715, 508.010, 508.040, 508.070, 508.120, 510.263, 510.340, 516.105, 537.035, 537.067, 537.090, 538.205, 538.210, 538.220, 538.225, 538.230, and 538.300, RSMo, and to enact in lieu thereof twenty-three new sections relating to claims for damages and the payment thereof.

On March 29, 2005, I approved said **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 393**.

Respectfully submitted,

/s/ Matt Blunt
Governor

WITHDRAWAL OF HOUSE BILL

March 29, 2005

Mr. Stephen S. Davis
Office of the Chief Clerk
Room 306C, State Capitol
Jefferson City, MO 65101

Dear Mr. Davis:

I respectfully request that **House Bill No. 812** be withdrawn. This bill will be revised and reintroduced at a later date.

Thank you for your assistance in this matter, and if you have any other questions or comments feel free to contact the office at 751-0907.

Sincerely,

/s/ Brian Yates
State Representative
District #56

The following member's presence was noted: Boykins.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, March 30, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Nathan Cooper, District 158, hereby state and affirm that my vote as recorded on Page 686 of the House Journal for Thursday, March 17, 2005, showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present

in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2005.

/s/ Nathan Cooper
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Terry Young, District 49, hereby state and affirm that my vote as recorded on Page 685 of the House Journal for Thursday, March 17, 2005, showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2005.

/s/ Terry Young
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 29th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Wednesday, March 30, 2005, 8:00 a.m. House Lounge.

Appropriation recommendations/Markup. Executive session may follow. **CANCELLED**

BUDGET

Wednesday, March 30, 2005, Hearing Room 3 upon morning recess.

Informational meeting regarding old post office in St. Louis.

Executive session may follow.

BUDGET

Wednesday, March 30, 2005, 8:00 p.m. Hearing Room 3.

Appropriation recommendations/Markup.

Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Thursday, March 31, 2005, 8:00 p.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

BUDGET

Friday, April 1, 2005, 8:00 a.m. Hearing Room 3.
Appropriation recommendations/Markup.
Executive session may follow.

CONSERVATION AND NATURAL RESOURCES

Wednesday, March 30, 2005, 6:00 p.m. Hearing Room 1.
Possible Executive session.
Public hearings to be held on: HB 660, HB 478, HB 492, HB 617

CORRECTIONS AND PUBLIC INSTITUTIONS

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 7.
Executive session to follow.
Public hearing to be held on: SCS SB 69

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 30, 2005, 8:00 a.m. Hearing Room 3.
Executive Session at 8:00 a.m.
Mary Cohen, U.S. Department of Education, will speak on
No Child Left Behind following Executive session. AMENDED
Public hearing to be held on: HB 106
Executive session will be held on: HB 320, HCR 24

HEALTH CARE POLICY

Wednesday, March 30, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. Hearing to continue on HB 271
Public hearings to be held on: HB 585, HB 696

HIGHER EDUCATION

Wednesday, March 30, 2005, House Chamber side gallery upon morning recess.
Executive session will be held on: HB 440

JUDICIARY

Thursday, March 31, 2005, Hearing Room 7 upon morning adjournment.
Committee hearing will begin thirty (30) minutes upon adjournment.
Executive session may follow.
Public hearings to be held on: HB 764, HB 794, HB 796, HB 807, HB 270, HB 615

LOCAL GOVERNMENT

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 756, HB 789, HB 809, HB 686, HB 732, HB 380

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 30, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 556, HB 803, HB 482, HB 702

Executive session may be held on: HB 598, HB 662, HB 670, HB 725

RETIREMENT

Wednesday, March 30, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 333

RULES

Wednesday, March 30, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCS HB 639, HCS HB 387, HCS HB 491,
HB 205, HB 738, HB 700, HR 1135, HR 1239, HCS HB 49 & 50

SENIOR CITIZEN ADVOCACY

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 646

SMALL BUSINESS

Wednesday, March 30, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 552, HB 569

SPECIAL COMMITTEE ON EDUCATION FUNDING

Wednesday, March 30, 2005, 6:00 p.m. Hearing Room 4.

Hearing will begin at 6:00 p.m. unless adjournment is later.

Public hearing to be held on: HB 771

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, March 30, 2005, 6:30 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearing to be held on: SS SB 539

TRANSPORTATION

Wednesday, March 30, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 697, HB 591, HB 612, HB 777

UTILITIES

Wednesday, March 30, 2005, Hearing Room 5 upon morning recess.

The committee will finish hearing HB 304 and hold a hearing on HCR 5.

Executive session may follow.

Public hearing to be held on: HCR 5

WAYS AND MEANS

Wednesday, March 30, 2005, Hearing Room 5 upon afternoon adjournment.

Possible Executive session. AMENDED

Public hearings to be held on: HB 806, HB 296, HJR 18, HB 146

HOUSE CALENDAR

FORTY-FOURTH DAY, WEDNESDAY, MARCH 30, 2005

HOUSE BILLS FOR SECOND READING

HB 841 through HB 858

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 16 - Chinn

HOUSE BILLS FOR PERFECTION

- 1 HB 344 - Baker (123)
- 2 HB 376 - Guest
- 3 HCS HB 394, as amended - Byrd
- 4 HCS HB 388 - Yates
- 5 HCS HB 576 - Flook
- 6 HCS HB 64 - Sutherland
- 7 HCS HB 286 - Bland
- 8 HCS HB 519 - Roark (3 hours debate on Perfection)
- 9 HB 539 - Icet
- 10 HCS HB 474 - Yates
- 11 HCS HB 628 - Byrd

HOUSE BILLS FOR PERFECTION - CONSENT

(3/16/05)

- 1 HB 33 - Phillips
- 2 HB 180 - Johnson (47)
- 3 HB 219 - Salva
- 4 HB 258 - Cunningham (86)
- 5 HB 260 - Deeken
- 6 HB 261 - Deeken

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- 7 HB 321 - Yates
- 8 HB 323 - Johnson (47)
- 9 HCS HB 334 - Franz
- 10 HB 395 - Wood
- 11 HCS HB 443 - Sander
- 12 HB 455 - Quinn
- 13 HB 473 - Yates
- 14 HB 528 - Cunningham (145)
- 15 HCS HB 563 - Rucker
- 16 HCS HB 568 - Stevenson
- 17 HCS HB 577 - Kuessner
- 18 HCS HB 606 - Lembke
- 19 HCS HB 630 - Pollock
- 20 HB 681 - Chappelle-Nadal
- 21 HB 688 - Byrd

(3/17/05)

- 1 HCS#2 HB 232 - Portwood
- 2 HB 600 - Cooper (155)

(3/22/05)

- 1 HB 450 - Meiners
- 2 HB 685 - Franz
- 3 HB 707 - Cunningham (145)
- 4 HB 743 - Kingery

HOUSE BILL FOR THIRD READING

HCS HB 208 - Icet

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 397 - Henke
- 2 HCS HB 215 - Pearce
- 3 HCS HB 508, E.C. - Pratt
- 4 HB 596 - Schaaf
- 5 HB 638 - Cunningham (86)
- 6 HB 678 - Byrd
- 7 HB 684 - Lipke
- 8 HB 43 - Wallace
- 9 HB 53 - Swinger
- 10 HCS HB 108 - Schaaf
- 11 HB 155 - Ruestman
- 12 HB 236 - Goodman
- 13 HB 280 - Walsh

- 14 HB 342 - Baker (123)
- 15 HCS HB 362 - Lipke
- 16 HCS HB 422 - Black
- 17 HCS HB 448, E.C. - Villa
- 18 HB 453 - May
- 19 HCS HB 462 & 463 - Smith (118)
- 20 HB 487 - Bruns
- 21 HCS HB 513 - Zweifel
- 22 HCS HB 531 - Wright (137)
- 23 HB 618 - Bearden
- 24 HCS HB 631, E.C. - Portwood

SENATE BILL FOR SECOND READING

SS SCS SB 32

BILL IN CONFERENCE

SCS HCS HB 14, as amended - Lager

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 5 HCR 20, (3-09-05, Page 553) - Rupp

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-FOURTH DAY, WEDNESDAY, MARCH 30, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, to You we call, for You are our Rock and do not turn a deaf ear to us. You are **not** silent when we lift our voice to You.

As we return to the issues at hand, may our hearts be courageous, our bodies strong and our minds perceptive. May You preserve us, as we remain faithful to our calling.

You speak and it is done, You command and we stand in awe. Open our ears that we may hear clearly and respond appropriately.

Let Your mercy, O Lord, be upon us, according as we have hoped in You.

Now unto You be glory, majesty, dominion and authority, before all time, now and forever.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joseph Murray, Stuart Murray, Michaela Sinks, Payton Garrison, Drew Volmer, Kelsey Lee Smith, Tara Marie Mocker, Amanda Marie Mocker, Celeste Graves, Anna Graves and Hunter Wade.

The Journal of the forty-third day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1569

through

House Resolution No. 1615 - Representative Avery

House Resolution No. 1616 - Representative Roark

House Resolution No. 1617

and

House Resolution No. 1618 - Representative Cunningham (145)

House Resolution No. 1619
through
House Resolution No. 1623 - Representative Hughes
House Resolution No. 1624 - Representative Dethrow
House Resolution No. 1625 - Representative Threlkeld
House Resolution No. 1626
and
House Resolution No. 1627 - Representative Hughes
House Resolution No. 1628
through
House Resolution No. 1641 - Representative LeVota

SECOND READING OF HOUSE BILLS

HB 841 through **HB 858** were read the second time.

SECOND READING OF SENATE BILL

SS SCS SB 32 was read the second time.

PERFECTION OF HOUSE BILL

HCS HB 394, as amended, relating to medical malpractice insurance, was taken up by Representative Byrd.

Representative Kuessner offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 394, Page 13, Section 383.501, Line 4, by inserting after all of said line the following:

"383.510. 1. Notwithstanding any other provision of law to the contrary, beginning January 1, 2009, every insurer providing medical malpractice insurance in this state shall establish a premium rate for insurance purchased by health care providers who provide services in counties of the second, third, and fourth classification based on the claims or claims history in such counties. Such premium rates may be adjusted for health care providers who do not provide services exclusively in counties of the third and fourth classification based on the percentage of services provided outside such counties.

2. For purposes of this section, the following terms mean:

(1) "Health care provider" includes physicians, dentists, clinical psychologists, pharmacists, optometrists, podiatrists, registered nurses, physicians' assistants, chiropractors, physical therapists, nurse anesthetists, anesthetists perfusionist, emergency medical technicians, hospitals, nursing homes and extended care facilities; but shall not include any nursing service or nursing facility conducted by and for those who rely upon treatment by spiritual means alone in accordance with the creed or tenets of any well-recognized church or religious denomination;

(2) "Medical malpractice insurance" means insurance coverage against the legal liability of the insured and against loss, damage, or expense incident to a claim arising out of the death or injury of any person as a result of the negligence or malpractice in rendering professional service by any health care provider."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Byrd offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 394, Page 7, Section 383.401, Line 4, by adding at the end of said line, "The Missouri Department of Insurance shall consider the history of prior court judgments for claims under Chapter 383, in each county of the state in establishing the risk reporting categories."

On motion of Representative Byrd, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Schaaf offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 394, Section 383.411, Page 10, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 4** was adopted.

Representative Spreng offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 394, Section 383.400, Page 7, Line 12, by inserting before the word "**United**" the word "**certified**"; and

Further amend said section, said page, Line 17, by inserting before the word "**United**" the word "**certified**"; and

Further amend said section, said page, Line 23, by inserting before the word "**United**" the word "**certified**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Spreng, **House Amendment No. 5** was adopted.

Representative Harris (23) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 394, Section 383.165, Page 7, Line 4, by inserting after all of said line the following:

"383.225. Any entity issuing a medical malpractice liability policy or self insurance policy issued for medical malpractice purposes shall actuarially determine at least annually, the amount of cost savings incurred by the issuers as a result of the enactment of the provisions of section 538.205 to 538.232, RSMo, and shall reduce such insured's premiums accordingly."; and

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Harris (23) moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 47	Johnson 61
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meiners	Oxford
Page	Parker	Rucker	Salva	Schneider
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 094

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Self	Smith 118
Smith 14	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 004

Johnson 90	Meadows	Robinson	Roorda
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VACANCIES: 001

Representative Harris (23) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 394, Section 383.406, Page 9, Line 32, by inserting after all of said line the following:

“7. In determining a medical malpractice insurance premium charged to any health care provider, a medical malpractice insurer shall base a debit only on those claims that have been paid on behalf of the provider.”; and

Further amend said title, enacting clause, and intersectional references accordingly.

Representative Harris (23) moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Barnitz	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Burnett	Chappelle-Nadal	Casey	Corcoran	Curls
Darrough	Daus	Dempsey	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 47	Johnson 61	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meiners	Oxford	Page	Parker	Richard
Robinson	Rucker	Salva	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Weter	Whorton	Wildberger
Witte	Wright-Jones	Wright 137	Yaeger	Young
Zweifel				

NOES: 088

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Icet	Jackson
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Smith 118	Smith 14	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

Johnson 90

Meadows

Roorda

VACANCIES: 001

Representative Page offered **House Amendment No. 8**.

Representative Goodman raised a point of order that **House Amendment No. 8** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

HCS HB 394, as amended, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Behnen.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brian Grzyb, Shawn Grzyb, Cheyenne Brown and Dakota Brown.

HOUSE RESOLUTION

Representative Deeken offered House Resolution No. 1642.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1643 - Representative Deeken
House Resolution No. 1644 - Representative McGhee
House Resolution No. 1645
through
House Resolution No. 1648 - Representative Cunningham (145)
House Resolution No. 1649
and
House Resolution No. 1650 - Representative Pratt
House Resolution No. 1651 - Representative Dixon
House Resolution No. 1652 - Representatives Smith (118) and Rector
House Resolution No. 1653
through
House Resolution No. 1666 - Representative Sander

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 215, relating to annexation authorization, was taken up by Representative Pearce.

On motion of Representative Pearce, **HCS HB 215** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Icet	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Witte	Wood	Wright-Jones
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bruns	George	Hunter	Johnson 90	Meadows
Richard	Spreng	Stevenson	Vogt	Wilson 130
Wright 137	Yaeger			

VACANCIES: 001

Representative Behnen declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

HB 596, relating to health insurance benefits, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HB 596** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wildberger
Wilson 119	Witte	Wright-Jones	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Black	Boykins	George	Hunter	Johnson 90
Meadows	Spreng	Stevenson	Vogt	Wasson
Wilson 130	Wood	Wright 137	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 638, relating to urban public library districts, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HB 638** was read the third time and passed by the following vote:

AYES: 099

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Burnett	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Jones	Kelly	Kingery	Kraus
Lager	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sater	Schaaf	Schad	Schlottach	Self
Smith 118	Smith 14	Stefanick	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Young	Mr Speaker	

NOES: 051

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brown 50	Chappelle-Nadal	Casey
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	Harris 110	Harris 23	Haywood
Henke	Johnson 47	Johnson 61	Jolly	Kuessner
Lampe	Lowe 44	Marsh	Nance	Oxford
Page	Robinson	Rucker	Salva	Sander
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Storch	Swinger	Villa	Wagner	Wallace
Walsh	Walton	Whorton	Witte	Wright-Jones
Zweifel				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 011

Bean	George	Johnson 90	Kratky	Meadows
Roorda	Spreng	Stevenson	Vogt	Wright 137
Yaeger				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 678, relating to corporations, was taken up by Representative Byrd.

On motion of Representative Byrd, **HB 678** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Chinn	George	Hunter	Johnson 90	Meadows
Spreng	Stevenson	Vogt	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 684, relating to a DNA profiling system, was taken up by Representative Lipke.

On motion of Representative Lipke, **HB 684** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 110	Harris 23
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Walton	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

George	Hunter	Johnson 90	Meadows	Spreng
Stevenson	Vogt	Wasson	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 43, relating to a memorial highway, was taken up by Representative Wallace.

On motion of Representative Wallace, **HB 43** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 123	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Quinn	Rector	Richard
Roark	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schneider	Schoemehl	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Cunningham 86

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 25	George	Hughes	Johnson 90	May
Meadows	Pratt	Robb	Schlottach	Selby
Spreng	Stevenson	Vogt	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 53, relating to a memorial highway, was taken up by Representative Swinger.

On motion of Representative Swinger, **HB 53** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 110	Harris 23
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

George	Hunter	Johnson 90	Meadows	Roorda
Rucker	Spreng	Stevenson	Vogt	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Behnen resumed the Chair.

HCS HB 108, relating to copayments for prescription drugs, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HCS HB 108** was read the third time and passed by the following vote:

AYES: 153

Avery	Baker 123	Baker 25	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Smith 14

ABSENT WITH LEAVE: 008

Aull	George	Johnson 90	Meadows	Spreng
Stevenson	Vogt	Yaeger		

VACANCIES: 001

Representative Behnen declared the bill passed.

HB 155, relating to a memorial highway, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **HB 155** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 30	George	Johnson 90	Meadows	Schneider
Spreng	Stevenson	Vogt	Yaeger	

VACANCIES: 001

Representative Behnen declared the bill passed.

HB 236, relating to a national guard armory designation, was taken up by Representative Goodman.

On motion of Representative Goodman, **HB 236** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnitz	Boykins	George	Johnson 90	Meadows
Page	Spreng	Stevenson	Vogt	Yaeger

VACANCIES: 001

Representative Behnen declared the bill passed.

HB 280, relating to physically disabled voters, was taken up by Representative Walsh.

On motion of Representative Walsh, **HB 280** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Haywood	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Stefanick	St. Onge	Storch	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnitz	Bland	Denison	George	Henke
Johnson 90	Meadows	Page	Robb	Spreng
Stevenson	Sutherland	Vogt	Yaeger	

VACANCIES: 001

Representative Behnen declared the bill passed.

HB 342, relating to boards of election commissioners, was taken up by Representative Baker (123).

On motion of Representative Baker (123), **HB 342** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnitz	Dougherty	George	Johnson 90	Meadows
Rupp	Spreng	Stevenson	Vogt	Yaeger

VACANCIES: 001

Representative Behnen declared the bill passed.

HCS HB 362, relating to expungement, was taken up by Representative Lipke.

On motion of Representative Lipke, **HCS HB 362** was read the third time and passed by the following vote:

AYES: 114

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Bland	Boykins	Brown 30
Bruns	Burnett	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Haywood
Hobbs	Hoskins	Hubbard	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lembke	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McGhee	Meiners	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 118	Smith 14	Stefanick	St. Onge	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 033

Aull	Baker 25	Bringer	Chappelle-Nadal	Casey
Corcoran	Curls	Donnelly	El-Amin	Fraser
Harris 110	Harris 23	Henke	Hughes	Jolly
Lampe	LeVota	Low 39	Oxford	Page
Portwood	Roorda	Rucker	Schoemehl	Selby
Shoemyer	Skaggs	Storch	Walsh	Walton
Whorton	Wildberger	Wright-Jones		

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 014

Barnitz	Bowman	Brooks	Brown 50	George
Hunter	Johnson 90	Meadows	Moore	Spreng
Stevenson	Sutherland	Vogt	Yaeger	

VACANCIES: 001

Representative Behnen declared the bill passed.

HCS HB 422, relating to a conveyance in Mississippi County, was taken up by Representative Black.

On motion of Representative Black, **HCS HB 422** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnitz	Bowman	Brooks	George	Johnson 90
Meadows	Spreng	Stevenson	Vogt	Yaeger

VACANCIES: 001

Representative Behnen declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

HCS HB 448, relating to police officer compensation, was taken up by Representative Villa.

On motion of Representative Villa, **HCS HB 448** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 123	Baker 25	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnitz	Bean	George	Henke	Johnson 90
Meadows	Rupp	Spreng	Stevenson	Vogt
Yaeger				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Bean	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 123	Barnitz	George	Johnson 90	Meadows
Rupp	Spreng	Stevenson	Sutherland	Vogt
Yaeger				

VACANCIES: 001

HB 453, relating to a conveyance in Phelps County, was taken up by Representative May.

Representative May offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Bill No. 453, Page 1, Section 1, Line 10, by deleting the word "**Phelpbs**" and inserting in lieu thereof the word "**Phelps**"; and

Further amend said bill, Page 1, Section 1, Line 18, by deleting the word "**Eat**" and inserting in lieu thereof the word "**East**"; and

Further amend said bill, Page 1, Section 1, Line 20, by deleting the number "**223.55**" and inserting in lieu thereof the number "**224.04**"; and

Further amend said bill, Page 1, Section 1, Line 21, by deleting the number "**699.02**" and inserting in lieu thereof the number "**568.56**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative May, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative May, **HB 453, as amended**, was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnitz	George	Johnson 90	Kratky	Meadows
Rupp	Spreng	Stevenson	Vogt	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HBs 462 & 463, relating to suicide prevention, was taken up by Representative Smith (118).

On motion of Representative Smith (118), **HCS HBs 462 & 463** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Stefanick	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 001

Emery

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnitz	Brown 50	Darrough	George	Johnson 90
Meadows	Schneider	Spreng	Stevenson	Vogt
Yaeger				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 487, relating to emergency vehicles, was taken up by Representative Brunns.

On motion of Representative Brunns, **HB 487** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Brunns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 155	Cooper 158	Corcoran	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberger	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Icet	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnitz	Boykins	Cooper 120	Cunningham 145	Denison
Flook	George	Hunter	Johnson 90	Meadows
Parson	Sander	Spreng	Stevenson	Vogt
Yaeger				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Behnen resumed the Chair.

HCS HB 513, relating to a memorial highway, was taken up by Representative Zweifel.

Representative Zweifel offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 513, Page 1, Section 227.367, Line 2 of said section, by deleting the word "**Blanchette**" and inserting in lieu thereof: "**Discovery**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Zweifel, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Zweifel, **HCS HB 513, as amended**, was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sater	Schaaf	Schad	Schlottach

Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnitz	Cooper 155	George	Johnson 90	Meadows
Sander	Spreng	Stevenson	Vogt	Yaeger

VACANCIES: 001

Representative Behnen declared the bill passed.

HCS HB 531, relating to a conveyance in Greene County, was taken up by Representative Wright (137).

On motion of Representative Wright (137), **HCS HB 531** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld

Tilley	Viebrock	Villa	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnitz	George	Johnson 90	Meadows	Sander
Spreng	Stevenson	Vogt	Yaeger	

VACANCIES: 001

Representative Behnen declared the bill passed.

HB 618, relating to state highway patrol personnel, was taken up by Representative Bearden.

On motion of Representative Bearden, **HB 618** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnitz	George	Johnson 90	Meadows	Sander
Schneider	Spreng	Stevenson	Vogt	Yaeger

VACANCIES: 001

Representative Behnen declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

HCS HB 631, relating to a conveyance in St. Louis County, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS HB 631** was read the third time and passed by the following vote:

AYES: 144

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 110
Harris 23	Haywood	Hobbs	Hoskins	Hubbard
Hughes	Ice	Jackson	Johnson 47	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Smith 118
Smith 14	Stefanick	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson

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Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 006

Donnelly	El-Amin	Hunter	Page	Skaggs
Wright-Jones				

PRESENT: 003

Cunningham 86	Henke	Johnson 61
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ABSENT WITH LEAVE: 009

Barnitz	George	Johnson 90	Meadows	Rupp
Spreng	Stevenson	Vogt	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Aull	Avery	Baker 25	Bean	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brown 30	Brown 50	Bruns	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Harris 110
Harris 23	Haywood	Hobbs	Hoskins	Hubbard
Hughes	Icet	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 009

Bowman	Burnett	Chappelle-Nadal	Donnelly	Fraser
Hunter	Page	Skaggs	Wright-Jones	

PRESENT: 003

Brooks	Cunningham 86	Henke
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ABSENT WITH LEAVE: 011

Baker 123	Barnitz	George	Johnson 90	Meadows
Rupp	Spreng	Stevenson	Vogt	Wagner
Yaeger				

VACANCIES: 001

PERFECTION OF HOUSE BILL

HCS HB 394, as amended, relating to medical malpractice insurance, was again taken up by Representative Byrd.

Representative Muschany requested a division of the question on **HCS HB 394, as amended**.

Representative Swinger requested a further division of the question on **HCS HB 394, as amended**.

On motion of Representative Byrd, **Part I of HCS HB 394, as amended**, was adopted.

On motion of Representative Byrd, **Part II of HCS HB 394** was adopted by the following vote:

AYES: 136

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Corcoran
Cunningham 145	Curls	Darrough	Daus	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Myers	Nance	Oxford
Page	Pearce	Phillips	Portwood	Quinn
Richard	Robb	Robinson	Roorda	Rucker

Ruestman	Rupp	Salva	Sander	Sater
Schad	Schlottach	Schneider	Schoemehl	Selby
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Viebrock	Villa	Wagner	Wallace
Walton	Wasson	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 017

Cooper 158	Davis	Ice	Lembke	Muschany
Nieves	Nolte	Parker	Parson	Pollock
Pratt	Rector	Roark	Schaaf	Self
Tilley	Wells			

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 008

Barnitz	George	Johnson 90	Meadows	Stevenson
Vogt	Walsh	Yaeger		

VACANCIES: 001

Representative Dougherty offered **House Amendment No. 1 to Part III.**

House Amendment No. 1

AMEND Part III of House Committee Substitute for House Bill No. 394, Page 12, Section 383.435, by deleting all of said section and inserting in lieu there of the following:

“383.435 By January 1, 2010, all insurers writing medical malpractice insurance in this state shall offer medical malpractice policies of insurance which are written so as to apply to injury which results from acts or omissions occurring during the policy period, regardless of the timing of the filing of a claim based on such acts or omissions.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 1 to Part III** was adopted by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher

Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 002

Hunter Whorton

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnitz	Bean	Bowman	George	Johnson 90
Meadows	Stevenson	Vogt	Walsh	Yaeger

VACANCIES: 001

On motion of Representative Byrd, **Part III of HCS HB 394, as amended**, was adopted.

Speaker Jetton assumed the Chair.

Representative Byrd moved that **Part IV of HCS HB 394, as amended**, be adopted.

Representative Salva moved that **Part IV of HCS HB 394, as amended**, be recommitted to committee.

Representative Byrd raised a point of order that the motion to recommit **Part IV of HCS HB 394, as amended**, to committee is out of order.

The Chair ruled the point of order well taken.

Representative Salva moved that **HCS HB 394, as amended**, be recommitted to the original committee with special instructions to consider **Part IV of HCS HB 394** only.

Which motion was defeated.

Representative Byrd moved that **Part IV of HCS HB 394, as amended**, be adopted.

Which motion was defeated.

On motion of Representative Byrd, **HCS HB 394, as amended**, was ordered perfected and printed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SBs 10 & 27 - Crime Prevention and Public Safety

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Myers reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 116**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HCR 24**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 24

WHEREAS, the Missouri General Assembly during the Second Regular Session of the 91st General Assembly passed House Bill No. 1973 by a vote of 130-11 and 30-0 calling for a study (The Study) of steps to improve economic and financial education in Missouri schools; and

WHEREAS, the Governor of Missouri signed Executive Order 02-08 calling for the Missouri Council on Economic Education to conduct the same study; and

WHEREAS, The Study was financed by over \$90,000 of private contributions from Missouri organizations and was completed by the Missouri Council on Economic Education on behalf of and submitted to the Missouri Department of Elementary and Secondary Education; and

WHEREAS, the Missouri Commissioner of Education submitted The Study to the Governor and leaders of the Missouri General Assembly; and

WHEREAS, The Study listed five recommendations for improvement and expansion of economic and financial education for Missouri students from kindergarten through high school; and

WHEREAS, the need for implementation in Missouri of the five recommendations of The Study has continued to increase:

(1) In 2004, Missouri high school students scored a failing grade of 53.8% on a national survey of personal finance knowledge; and

(2) MAP tests of economic knowledge for Missouri middle and high school students consistently score 54% - 56% correct over the last five years; and

WHEREAS, nationally:

(1) Two-thirds of American adults and students did not know that inflation reduces the value of their money;

(2) Among parents with children five or older, only 26% feel well prepared to teach their children about basic personal finances;

(3) 64% of consumers ages 18 to 24 do not know the interest rates on their credit cards;

(4) In 2003, teens spent \$175 billion, averaging \$103 per week; and

(5) In 2004, the national household savings rate was 0.8%, the lowest since the Great Depression; and

WHEREAS, the Missouri Commissioner of Education has convened the Taskforce on the High School that may be recommending to the Missouri State Board of Education adoption of The Study's recommendation number 4 calling for a required course in personal finance economics for graduation:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby commend the Missouri Department of Elementary and Secondary Education and the Missouri Taskforce on the High School for their work and are encouraged to complete the steps necessary to recommend coursework in personal finance economics to the Missouri State Board of Education; and

BE IT FURTHER RESOLVED that the Missouri State Board of Education be encouraged to accept the recommendation as prepared by the Missouri Commissioner of Education and the Missouri Taskforce on the High School for coursework in personal finance economics; and

BE IT FURTHER RESOLVED that the Missouri Department of Elementary and Secondary Education and the Missouri State Board of Education be encouraged to accept recommendations from The Study to:

(1) Recommend the extensive kindergarten through high school curriculum resources listed in The Study to school districts for use with teachers and students;

(2) Build grade-level objectives in grades leading up to high school coursework that reflects the new expectations for such coursework;

(3) Continue planning to incorporate into the social studies MAP test additional questions reflecting the new expectations for personal finance and economics;

(4) Continue working with teacher certification institutions in Missouri to require training to prepare teachers for the new grade-level objectives and the personal finance economics coursework; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Missouri Commissioner of Education and the Missouri State Board of Education.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 320**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 440**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 400**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 417**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 209**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1135**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 1135

WHEREAS, the members of the Missouri House of Representatives deem it both proper and necessary to maintain a cooperative relationship between our state's governmental bodies and the legal system; and

WHEREAS, the General Assembly has a long tradition of granting the use of the House and Senate Chambers for the purpose of official functions:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby grant the Eastern and Western District Federal Courts of Missouri permission to use the House Chamber for the purpose of swearing in newly-licensed members of the Missouri Bar on Friday, April 29, 2005, from 10:00 a.m. until 1:30 p.m., and on Friday, September 30, 2005, from 10:00 a.m. until 1:30 p.m.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1239**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 1239

WHEREAS, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

WHEREAS, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

WHEREAS, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

WHEREAS, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant the participants of the Silver Haired Legislature permission to use the House Chamber for the purpose of their regular session on Wednesday, Thursday, and Friday, October 26, 27, and 28, 2005.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 49 & 50**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 205**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 387**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 639**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 700**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 738**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 33, HB 180, HB 219, HB 258, HB 260, HB 261, HB 321, HB 323, HCS HB 334, HB 395, HCS HB 443, HB 455, HB 473, HB 528, HCS HB 563, HCS HB 568, HCS HB 577, HCS HB 606, HCS HB 630, HB 681 and HB 688**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 30, introduced by Representatives Fraser, Oxford, Baker (25), Daus, Johnson (61), Chappelle-Nadal, Curls, Lowe (44), Lampe and Haywood, relating to ratification of the Equal Rights Amendment.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 26, introduced by Representative Quinn, relating to funding for education.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1, introduced by Representative Lager, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

HB 2, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, the several divisions and programs thereof, and the Office of Administration to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

HB 3, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein, and the Office of Administration to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

HB 4, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, the several divisions and programs thereof, and the Office of Administration, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

HB 5, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

HB 6, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the Office of Administration, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2005 and ending June 30, 2006.

HB 7, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Department of Labor and Industrial Relations, and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

HB 8, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, the several divisions and programs thereof, and the Office of Administration, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

HB 9, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005 and ending June 30, 2006.

HB 10, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee, the Commission for the Missouri Senior Rx Program, and the Office of Administration to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005, and ending June 30, 2006.

HB 11, introduced by Representative Lager, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005 and ending June 30, 2006.

HB 12, introduced by Representative Lager, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of

State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005 and ending June 30, 2006.

HB 13, introduced by Representative Lager, to appropriate money for real property leases, related services, utilities, systems furniture, and structural modifications for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 859, introduced by Representatives Jetton, Kratky, Hughes, Chappelle-Nadal, Rucker, Flook, Kraus, Meadows, Day, Quinn, Brown (30), Hobbs, Bowman, Harris (110), Fraser, Wilson (119), Wilson (130), Richard, Curls, Phillips, Weter, Nieves, Ruestman, Wildberger, Dusenberger, Dougherty, Sander, Dethrow, Henke, Muschany, Munzlinger, Nolte, Sanders Brooks, Whorton, Byrd, Baker (123), Selby, Guest, Wasson, Goodman, Salva, Lampe, Storch, Baker (25), Jolly, Fisher, Threlkeld, McGhee, Robb, Cooper (155), Kingery, Shoemyer, Barnitz, Wright-Jones, Faith, Cunningham (145), Wood, Wagner, Kuessner, Robinson, Corcoran, Schoemehl, Viebrock, Nance, Wright (159), Bruns, Meiners, Avery, Black, Bivins, Pratt, Wright (137), Young, Page, Darrough, Brown (50), Zweifel, Rector, Schlottach, Stevenson, Fares, Davis, St. Onge, Jackson, Schaaf, Dempsey, Jones, Chinn, Icet, Franz, Emery and Behnen, relating to prescription drugs obtained outside the United States.

HB 860, introduced by Representatives Aull and Hughes, relating to insurance premium rates.

HB 861, introduced by Representatives Yates, Cooper (120), Richard, Rupp, Spreng, Hoskins, Page, Wilson (130) and Wasson, relating to health insurance claims history.

HB 862, introduced by Representative Behnen, relating to the failure to yield to an emergency vehicle.

HB 863, introduced by Representatives Wasson, Richard, Pearce, Cunningham (145), Brown (30), Yaeger, Dempsey, Roark, Dethrow, Sander, Wright, Goodman, Dusenberger, Dixon and Viebrock, relating to tax incentives for economic development.

HB 864, introduced by Representatives Hobbs, Myers, Chinn, Black, Munzlinger and Sutherland, relating to ethanol blend fuel.

HB 865, introduced by Representatives Robb, Wells, Avery, Weter, Hobbs, Chinn, Pratt, Davis, Behnen, Jackson, Baker (123), Cooper (120), Kratky, Corcoran, Hughes, Lowe (44), Vogt, Aull, Goodman, Yates, Dixon, Kraus, Cooper (158) and Cunningham (86), relating to students called to active duty in the armed forces.

HB 866, introduced by Representatives Wilson (130) and Yates, relating to insurance fraud.

HB 867, introduced by Representatives Dusenberg, Pratt and Yates, relating to separate elections for annexation.

HB 868, introduced by Representatives Pratt, Sanders Brooks, Yates, Dusenberg, Burnett and LeVota, to authorize the conveyance of property owned by the state in Jackson County to the City of Kansas City.

HB 869, introduced by Representative Wilson (130), relating to the designation of a memorial highway.

HB 870, introduced by Representative Jackson, relating to excursion gambling boat revenue.

HB 871, introduced by Representatives Low (39), Chappelle-Nadal, Lampe, Hughes, Johnson (47), Daus, Wright-Jones, Walton, Bowman, Bland, Donnelly, Lowe (44), Baker (25), Oxford and Johnson (61), relating to emergency contraception.

HB 872, introduced by Representatives Shoemyer, Wagner and George, relating to trade agreements.

HB 873, introduced by Representatives Corcoran, Darrough, Liese and Fraser, relating to student transportation.

HB 874, introduced by Representative Lager, relating to transient guest tax.

HB 875, introduced by Representatives Moore, Wildberger, Roorda, Rucker, Avery, Quinn and Kelly, relating to charging fees to offenders placed under board supervision.

HB 876, introduced by Representatives Hunter, Stevenson, Fisher, Phillips, Emery, Smith (118), Cunningham (145), Wilson (119), Ruestman, Roark, Day, Rector, Deeken, Bean and Myers, relating to labor organizations.

HB 877, introduced by Representatives Hunter, Fisher, Emery, Phillips, Smith (118), Dethrow, Cunningham (145), Sander, Chinn, Ruestman, Wood, Roark, Day, Rector, Deeken, Self, Bean, Myers, Munzlinger, Hobbs, Wilson (130) and Quinn, relating to employee rights.

HB 878, introduced by Representatives Hunter, Stevenson, Fisher, Phillips, Emery, Smith (118), Cunningham (145), Rector, Chinn, Dethrow, Wilson (119), Ruestman, Wood, Roark, Day, Deeken, Bean and Myers, relating to unions.

HB 879, introduced by Representative Phillips, relating to certification of elections.

HB 880, introduced by Representatives Hughes, Johnson (61), Burnett, Wright-Jones, Sanders Brooks, Rucker, Bland, Chappelle-Nadal, LeVota, Skaggs, El-Amin, Walton, Oxford, Casey, Bringer, Curls, Walsh, Storch, Villa, Robb, Salva, Parker, Hoskins, Hubbard, Boykins, Lowe (44), Zweifel, Daus, Jolly, Harris (23), Low (39), Haywood, Liese, Page, Bowman, Young, Brown (50), Sutherland, Meiners, Johnson (47), Pratt and Wright, relating to state purchasing.

HB 881, introduced by Representatives Smith (118), Black, Dethrow, Hunter, Smith (14), Cunningham (86), Phillips, Cunningham (145), Sater, Munzlinger, Pollock and Wilson (130), relating to the state board of mediation.

HB 882, introduced by Representative Viebrock, relating to election offenses of the third and fourth classes.

HB 883, introduced by Representative Wright-Jones, relating to motor vehicle inspections.

HB 884, introduced by Representative Wright-Jones, relating to special business districts.

HB 885, introduced by Representative Wright-Jones, relating to motor vehicle window stickers.

HB 886, introduced by Representative Wright-Jones, relating to consumer credit reporting agencies.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 187**, entitled:

An act to repeal sections 640.700, 640.703, 640.710, 640.715, 640.725, 640.730, 640.735, 640.745, 640.750, 640.755, and 644.016, RSMo, and to enact in lieu thereof ten new sections relating to concentrated animal feeding operations.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, March 31, 2005.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Jack Goodman, District 132, hereby state and affirm that my vote as recorded on Page 723 of the House Journal for Tuesday, March 29, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 30th day of March 2005.

/s/ Jack Goodman
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 30th day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 3.

Appropriation recommendations/Markup. Executive session may follow. CANCELLED

BUDGET

Thursday, March 31, 2005, 8:00 p.m. Hearing Room 3.

Appropriation recommendations/Markup. Executive session may follow. CANCELLED

BUDGET

Friday, April 1, 2005, 8:00 a.m. Hearing Room 3.

Appropriation recommendations/Markup. Executive session may follow. CANCELLED

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, March 31, 2005, 9:00 a.m. Hearing Room 3.

Executive session may or may not follow.

Public hearing to be held on: SCS HCS HB 14

CORRECTIONS AND PUBLIC INSTITUTIONS

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 7.

Executive session to follow.

Public hearing to be held on: SCS SB 69

HEALTH CARE POLICY

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 636

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE
Thursday, March 31, 2005, Hearing Room 6 upon afternoon adjournment.
Challenge Fiscal Note: HCS HB 639 and HB 400 AMENDED

JUDICIARY

Thursday, March 31, 2005, Hearing Room 7 upon morning adjournment.
Committee hearing will begin thirty (30) minutes upon adjournment.
Executive session may follow.
Public hearings to be held on: HB 764, HB 794, HB 796, HB 807, HB 270, HB 615

LOCAL GOVERNMENT

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearings to be held on: HB 756, HB 789, HB 809, HB 686, HB 732, HB 380

RULES

Thursday, March 31, 2005, House Chamber side gallery upon afternoon adjournment.
Executive session may follow.
Public hearings to be held on: HCS HB 209, HCS HB 36,
HCS SCS SBs 202, 33, 45, 183 & 217

SENIOR CITIZEN ADVOCACY

Thursday, March 31, 2005, 8:00 a.m. Hearing Room 1.
Executive session may follow. AMENDED
Public hearings to be held on: HB 646, HB 663

HOUSE CALENDAR

FORTY-FIFTH DAY, THURSDAY, MARCH 31, 2005

HOUSE CONCURRENT RESOLUTION FOR SECOND READING

HCR 30

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 26

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1 through HB 13

HOUSE BILLS FOR SECOND READING

HB 859 through HB 886

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 16 - Chinn

HOUSE BILLS FOR PERFECTION

- 1 HB 344 - Baker (123)
- 2 HB 376 - Guest
- 3 HCS HB 388 - Yates
- 4 HCS HB 576 - Flook
- 5 HCS HB 64 - Sutherland
- 6 HCS HB 286 - Bland
- 7 HCS HB 519 - Roark (3 hours debate on Perfection)
- 8 HB 539 - Icet
- 9 HCS HB 474 - Yates
- 10 HCS HB 628 - Byrd

HOUSE BILLS FOR PERFECTION - CONSENT

(3/17/05)

- 1 HCS#2 HB 232 - Portwood
- 2 HB 600 - Cooper (155)

(3/22/05)

- 1 HB 450 - Meiners
- 2 HB 685 - Franz
- 3 HB 707 - Cunningham (145)
- 4 HB 743 - Kingery

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 208 - Icet
- 2 HCS HB 394 - Byrd

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 397 - Henke
- 2 HCS HB 508, E.C. - Pratt
- 3 HB 33 - Phillips
- 4 HB 180 - Johnson (47)
- 5 HB 219 - Salva
- 6 HB 258 - Cunningham (86)
- 7 HB 260, E.C. - Deeken
- 8 HB 261 - Deeken
- 9 HB 321 - Yates

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- 10 HB 323 - Johnson (47)
- 11 HCS HB 334 - Franz
- 12 HB 395 - Wood
- 13 HCS HB 443 - Sander
- 14 HB 455 - Quinn
- 15 HB 473 - Yates
- 16 HB 528 - Cunningham (145)
- 17 HCS HB 563, E.C. - Rucker
- 18 HCS HB 568 - Stevenson
- 19 HCS HB 577 - Kuessner
- 20 HCS HB 606 - Lembke
- 21 HCS HB 630 - Pollock
- 22 HB 681 - Chappelle-Nadal
- 23 HB 688 - Byrd

SENATE BILL FOR SECOND READING

SB 187

BILL IN CONFERENCE

SCS HCS HB 14, as amended - Lager

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351- 352) - Sander
- 2 HCR 4, (3-02-05, Pages 467- 468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487- 488) - Baker (123)
- 5 HCR 20, (3-09-05, Page 553) - Rupp

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-FIFTH DAY, THURSDAY, MARCH 31, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

Let us pray, listening to this word of God from Psalm 9:8:

But the Lord sits enthroned forever;
He has set up His throne for judgment.
He judges the world with justice;
He governs the peoples with equity.

Lord our God, we pray for the ability to judge with justice, that we might participate in governing the peoples with equity.

When our agenda deals with jobs, help us establish policy that makes jobs with living wages available to all; when about health care, help us establish policy that assists those who truly need help; when about poverty, help us establish policy that lifts low-income families out of poverty. Whatever the topics on the agenda for this day's work, O Lord, give us the understanding and judgment to "govern the peoples with equity."

This we ask of You who are our God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christiana Holcomb, Rachel Holcomb, Joshua Holcomb, Maisie Moore, Davis Spenser, Amber Stinnett, Jessica Bartz, Candice Brown, Eric Osner, Tisha Nibarger, Caleb Vadnais, Laura Roberts, R. B. Quinn, Monica Acosta, Amanda Griffith, Heather Bixenman, Jeff Naylor, Craig Meissen, Michael Manson, Amanda Bartholomew, Ceanne Kressig, Tyler Hall, Betty DeWitt, Paul Murphy and Eric Ellward.

The Journal of the forty-fourth day was approved as corrected.

HOUSE RESOLUTIONS

Representative Brunns offered House Resolution No. 1682.

Representative Walton, et al., offered House Resolution No. 1706.

HOUSE CONCURRENT RESOLUTION

Representative Bruns, et al., offered House Concurrent Resolution No. 31.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1667

through

- House Resolution No. 1672 - Representative Jetton
- House Resolution No. 1673 - Representative Cooper (158)
- House Resolution No. 1674 - Representative Salva
- House Resolution No. 1675 - Representative Phillips
- House Resolution No. 1676 - Representative Burnett (40)

House Resolution No. 1677

through

- House Resolution No. 1679 - Representative Wagner
- House Resolution No. 1680 - Representative Curls
- House Resolution No. 1681 - Representative Lampe
- House Resolution No. 1683 - Representative Hubbard

House Resolution No. 1684

and

- House Resolution No. 1685 - Representative Witte
- House Resolution No. 1686 - Representative Myers
- House Resolution No. 1687 - Representative Kingery
- House Resolution No. 1688 - Representative Low (39)
- House Resolution No. 1689 - Representatives Nolte and Flook

House Resolution No. 1690

and

- House Resolution No. 1691 - Representative Brown (30)

House Resolution No. 1692

through

- House Resolution No. 1705 - Representative Portwood

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 30 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 26 was read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1 through **HB 13** were read the second time.

SECOND READING OF HOUSE BILLS

HB 859 through **HB 886** were read the second time.

SECOND READING OF SENATE BILL

SB 187 was read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HB 33, relating to the official state amphibian, was taken up by Representative Phillips.

On motion of Representative Phillips, **HB 33** was read the third time and passed by the following vote:

AYES: 133

Aull	Avery	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hunter	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meiners
Moore	Munzlinger	Nance	Nieves	Nolte
Oxford	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Quinn	Rector	Richard
Robinson	Rucker	Ruestman	Salva	Sander
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	St. Onge	Storch
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Young	Zweifel	Mr Speaker		

NOES: 015

Baker 123	Baker 25	Bringer	Harris 23	Ice
Myers	Page	Pratt	Roark	Robb
Roorda	Rupp	Swinger	Wildberger	Yates

PRESENT: 004

Brooks	Cunningham 86	Hughes	Muschany
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ABSENT WITH LEAVE: 010

Darrough	George	Hubbard	Johnson 90	Marsh
Meadows	Sater	Stevenson	Walsh	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 180, relating to police military leave, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HB 180** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	St. Onge	Storch
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Darrough	George	Hobbs	Hubbard	Johnson 90
Marsh	Meadows	Sater	Stevenson	Sutherland
Walsh	Yaeger			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 219, relating to reading room designation, was taken up by Representative Salva.

On motion of Representative Salva, **HB 219** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Decken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Darrough	George	Hubbard	Johnson 90	Meadows
Sater	Stevenson	Wallace	Walsh	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 258, relating to school district census requirements, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HB 258** was read the third time and passed by the following vote:

AYES: 144

Aull	Avery	Baker 123	Barnitz	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 110
Harris 23	Henke	Hobbs	Hoskins	Hughes
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Salva
Sander	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 004

Baker 25	Haywood	Shoemyer	Whorton
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PRESENT: 002

Boykins	El-Amin
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ABSENT WITH LEAVE: 012

Darrough	George	Hubbard	Hunter	Johnson 90
Meadows	Rupp	Sater	Stevenson	Vogt
Walsh	Yaeger			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 260, relating to a conveyance in Cole County, was taken up by Representative Deeken.

Representative Deeken offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Bill No. 260, Section 1, Page 1, Line 7, by deleting the second instance of the word, “**Southeast**” and inserting in lieu thereof the following word, “**Southwest**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Deeken, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Deeken, **HB 260, as amended**, was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Phillips
Pollock	Portwood	Pratt	Quinn	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walton	Wasson	Wells

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Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 001

Wright-Jones

PRESENT: 000

ABSENT WITH LEAVE: 013

Brooks	Darrough	George	Hobbs	Johnson 90
Meadows	Pearce	Rector	Rupp	Sater
Stevenson	Walsh	Yaeger		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Darrough	George	Hobbs	Hoskins	Johnson 90
Meadows	Rector	Sater	Stevenson	Walsh
Yaeger				

VACANCIES: 001

HB 397, relating to disabled persons' license plates, was taken up by Representative Henke.

On motion of Representative Henke, **HB 397** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Darrough	George	Hobbs	Johnson 90	Meadows
Salva	Sater	Stevenson	Walsh	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 261, relating to local government employees' retirement, was taken up by Representative Deeken.

On motion of Representative Deeken, **HB 261** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bowman	Darrough	George	Hobbs	Johnson 90
Meadows	Sater	Stevenson	Walsh	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 321, relating to the Assistive Technology Advisory Council, was taken up by Representative Yates.

On motion of Representative Yates, **HB 321** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Myers

PRESENT: 000

ABSENT WITH LEAVE: 009

Darrough	George	Hobbs	Johnson 90	Meadows
Sater	Stevenson	Walsh	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 323, relating to the Kansas City Police Employees' Retirement System, was taken up by Representative Johnson (47).

Representative Johnson (47) offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Bill No. 323, Page 7, Section 86.951, Line 2, by deleting the number, "**539**" and inserting in lieu thereof the following number, "**536**"; and

Further amend said bill, Page 59, Section 86.373, Line 16, by inserting after all of said line the following symbol, "J"; and

Further amend said bill, Page 61, Section 86.377, Line 18, by inserting after all of said line the following symbol, "J"; and

Further amend said bill, Page 62, Section 86.380, Line 29, by inserting after all of said line the following symbol, "J"; and

Further amend said bill, Page 91, Section 86.611, Line 92, by inserting after all of said line the following symbol, "J"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (47), **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Johnson (47), **HB 323, as amended**, was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood

Henke	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Darrough	George	Hobbs	Johnson 90	Meadows
Sater	Stevenson	Walsh	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 334, relating to the Missouri State Employees' Retirement System, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 334** was read the third time and passed by the following vote:

AYES: 144

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Henke
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese

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Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Villa	Vogt	Wagner	Wallace	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 005

Baker 25	Barnitz	El-Amin	Haywood	Walton
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PRESENT: 001

Whorton

ABSENT WITH LEAVE: 012

Bean	Darrough	Donnelly	George	Hobbs
Johnson 90	Meadows	Sater	Stevenson	Viebrock
Walsh	Yaeger			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 395, relating to water supply districts, was taken up by Representative Wood.

On motion of Representative Wood, **HB 395** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke

Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Villa
Vogt	Wagner	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Darrough	Emery	George	Hobbs	Hunter
Johnson 90	Meadows	Sater	Stevenson	Viebrock
Walsh	Yaeger			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 443, relating to public school retirement, was taken up by Representative Sander.

On motion of Representative Sander, **HCS HB 443** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson

Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 002

Brooks	Whorton
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ABSENT WITH LEAVE: 009

Darrough	George	Johnson 90	Meadows	Sater
Selby	Stevenson	Walsh	Yaeger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 455, relating to watershed districts, was taken up by Representative Quinn.

On motion of Representative Quinn, **HB 455** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark

Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Schaaf	Schad
Schlottach	Schoemehl	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walton	Wasson	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Wells

PRESENT: 000

ABSENT WITH LEAVE: 010

Darrough	George	Johnson 90	Meadows	Sater
Schneider	Selby	Stevenson	Walsh	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Behnen assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

HB 473, relating to pupil residency waivers, was taken up by Representative Yates.

On motion of Representative Yates, **HB 473** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page

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Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Rupp	Salva	Sander	Schaaf	Schad
Schlottach	Schoemehl	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Zweifel	Mr Speaker		

NOES: 008

Barnitz	Daus	El-Amin	Lowe 44	St. Onge
Wagner	Whorton	Young		

PRESENT: 000

ABSENT WITH LEAVE: 011

Darrough	George	Johnson 90	Meadows	Ruestman
Sater	Schneider	Selby	Stevenson	Walsh
Yaeger				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 528, relating to a motor fuel tax, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **HB 528** was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Boykins	Bringer	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard

Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 001

Daus

PRESENT: 002

Brooks Johnson 61

ABSENT WITH LEAVE: 010

Bowman	Darrough	George	Johnson 90	Meadows
Sater	Selby	Stevenson	Walsh	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 563, relating to drainage and levee districts, was taken up by Representative Rucker.

On motion of Representative Rucker, **HCS HB 563** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt

Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Darrough	Denison	George	Johnson 90	Meadows
Sater	Selby	Stevenson	Walsh	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Decken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Salva	Sander
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130

Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Darrough	Denison	George	Hunter	Johnson 90
Meadows	Rupp	Sater	Selby	Stevenson
Wagner	Walsh	Yaeger	Zweifel	

VACANCIES: 001

HCS HB 577, relating to public officials and employees, was taken up by Representative Kuessner.

On motion of Representative Kuessner, **HCS HB 577** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Salva	Sander	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Mr Speaker		

NOES: 002

Byrd Pratt

PRESENT: 000

ABSENT WITH LEAVE: 012

Darrough	Denison	George	Johnson 90	Meadows
Rupp	Sater	Selby	Stevenson	Walsh
Yaeger	Zweifel			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Dempsey moved that **HCS HB 568** be recommitted to the committee of origin.

Which motion was adopted.

HCS HB 606, relating to the Police Retirement System of St. Louis, was taken up by Representative Lembke.

On motion of Representative Lembke, **HCS HB 606** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa

Vogt	Wagner	Wallace	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Mr Speaker		

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 013

Barnitz	Darrough	Denison	George	Haywood
Johnson 90	Meadows	Sater	Selby	Stevenson
Walsh	Yaeger	Zweifel		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 630, relating to not-for-profit corporations, was taken up by Representative Pollock.

On motion of Representative Pollock, **HCS HB 630** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hubbard	Hughes	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walton	Wells	Weter	Whorton

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Darrough	Denison	George	Haywood	Hoskins
Hunter	Johnson 90	Meadows	Rupp	Sater
Selby	Stevenson	Walsh	Wasson	Yaeger
Zweifel				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 681, relating to the Office of Advocacy and Assistance for the Elderly, was taken up by Representative Chappelle-Nadal.

On motion of Representative Chappelle-Nadal, **HB 681** was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Harris 23	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walton	Wasson

Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Mr Speaker	

NOES: 001

Brooks

PRESENT: 000

ABSENT WITH LEAVE: 012

Darrough	Denison	George	Haywood	Johnson 90
Meadows	Sater	Selby	Stevenson	Walsh
Yaeger	Zweifel			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 688, relating to judicial procedures, was taken up by Representative Byrd.

On motion of Representative Byrd, **HB 688** was read the third time and passed by the following vote:

AYES: 140

Aull	Avery	Baker 123	Baker 25	Bean
Bearden	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Corcoran	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 23	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Iceet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Self	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Mr Speaker

NOES: 007

Barnitz	Cooper 158	Daus	Harris 110	Liese
Shoemyer	Whorton			

PRESENT: 002

Oxford	Portwood
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ABSENT WITH LEAVE: 013

Behnen	Darrough	Donnelly	George	Haywood
Johnson 90	Meadows	Sater	Selby	Stevenson
Walsh	Yaeger	Zweifel		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF HOUSE BILL

HCS HB 208, relating to civil actions, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 208** was read the third time and passed by the following vote:

AYES: 124

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Bivins	Black	Boykins
Bringer	Brown 30	Brown 50	Bruns	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Fraser	Guest	Henke	Hobbs
Hubbard	Hughes	Icet	Jackson	Johnson 47
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Loehner	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Rucker
Ruestman	Rupp	Salva	Sander	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Mr Speaker	

NOES: 020

Bland	Bowman	Brooks	Burnett	Chappelle-Nadal
Curls	Daus	El-Amin	Goodman	Harris 110
Harris 23	Hoskins	Johnson 61	Lipke	Low 39
Oxford	Roorda	Shoemyer	Vogt	Whorton

PRESENT: 000

ABSENT WITH LEAVE: 018

Behnen	Darrough	Day	Dethrow	Donnelly
Franz	George	Haywood	Hunter	Johnson 90
Meadows	Sater	Selby	Stevenson	Walsh
Walton	Yaeger	Zweifel		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 14 - Senior Citizen Advocacy

HCR 19 - Senior Citizen Advocacy

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 25 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 394 - Budget (Fiscal Note)

HB 89 - Job Creation and Economic Development

HB 356 - Judiciary

HB 483 - Elections

HB 730 - Senior Citizen Advocacy

HB 736 - Senior Citizen Advocacy

HB 739 - Corrections and Public Institutions

HB 761 - Children and Families

HB 762 - Elections

HB 778 - Local Government

HB 801 - Children and Families

HB 808 - Job Creation and Economic Development

HB 813 - Crime Prevention and Public Safety

HB 814 - Crime Prevention and Public Safety
HB 815 - Judiciary
HB 816 - Senior Citizen Advocacy
HB 817 - Transportation
HB 820 - Corrections and Public Institutions
HB 821 - Judiciary
HB 823 - Elementary and Secondary Education
HB 824 - Conservation and Natural Resources
HB 825 - Elementary and Secondary Education
HB 826 - Judiciary
HB 827 - Senior Citizen Advocacy
HB 828 - Workforce Development and Workplace Safety
HB 829 - Crime Prevention and Public Safety
HB 830 - Ways and Means
HB 831 - Elementary and Secondary Education
HB 832 - Special Committee on Urban Issues
HB 833 - Transportation
HB 835 - Health Care Policy
HB 836 - Crime Prevention and Public Safety
HB 837 - Job Creation and Economic Development
HB 838 - Ways and Means
HB 839 - Job Creation and Economic Development
HB 840 - Crime Prevention and Public Safety
HB 841 - Special Committee on General Laws
HB 842 - Elementary and Secondary Education
HB 843 - Elementary and Secondary Education
HB 844 - Small Business
HB 845 - Insurance Policy
HB 846 - Insurance Policy
HB 847 - Professional Registration and Licensing
HB 848 - Judiciary
HB 849 - Local Government
HB 850 - Transportation
HB 853 - Agriculture Policy
HB 854 - Job Creation and Economic Development
HB 855 - Professional Registration and Licensing
HB 859 - Senior Citizen Advocacy
HB 863 - Job Creation and Economic Development
HB 864 - Agriculture Policy
HB 866 - Insurance Policy
HB 880 - Special Committee on Urban Issues

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 2 - Children and Families

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SS SJR 1 - Conservation and Natural Resources

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 6 - Utilities
SB 21 - Children and Families
SCS SB 24 - Judiciary
SCS SB 28 - Health Care Policy
SB 38 - Transportation
SB 42 - Elementary and Secondary Education
SCS SB 57 - Local Government
SCS SB 70 - Job Creation and Economic Development
SB 71 - Special Committee on General Laws
SCS SB 73 - Crime Prevention and Public Safety
SB 88 - Agriculture Policy
SB 99 - Job Creation and Economic Development
SCS SB 100 - Professional Registration and Licensing
SCS SBs 103 & 115 - Elementary and Secondary Education
SB 122 - Utilities
SB 123 - Judiciary
SB 131 - Insurance Policy
SCS SB 133 - Insurance Policy
SCS SB 138 - Local Government
SB 141 - Small Business
SCS SB 147 - Agriculture Policy
SB 149 - Judiciary
SCS#2 SB 155 - Children and Families
SB 156 - Job Creation and Economic Development
SCS SB 161 - Elementary and Secondary Education
SB 162 - Health Care Policy
SB 165 - Judiciary
SB 171 - Agriculture Policy
SB 173 - Small Business
SB 174 - Corrections and Public Institutions
SB 177 - Professional Registration and Licensing

SB 178 - Professional Registration and Licensing
SB 180 - Tourism
SCS SB 182 - Utilities
SB 187 - Agriculture Policy
SB 189 - Ways and Means
SB 209 - Transportation
SS SCS SB 210 - Local Government
SB 211 - Small Business
SCS SB 222 - Ways and Means
SCS SB 233 - Transportation
SS SCS SB 237 - Utilities
SCS SB 238 - Ways and Means
SB 242 - Local Government
SCS SB 246 - Special Committee on Urban Issues
SCS SB 247 - Transportation
SCS SB 252 - Veterans
SB 257 - Local Government
SCS SB 258 - Local Government
SB 259 - Local Government
SCS SB 260 - Local Government
SB 261 - Insurance Policy
SCS SB 262 - Local Government
SB 265 - Utilities
SCS SB 266 - Elementary and Secondary Education
SCS SB 267 - Ways and Means
SB 268 - Local Government
SCS SB 270 - Financial Institutions
SB 279 - Judiciary
SB 280 - Professional Registration and Licensing
SB 285 - Elementary and Secondary Education
SB 286 - Higher Education
SB 288 - Corrections and Public Institutions
SB 298 - Elementary and Secondary Education
SB 299 - Elementary and Secondary Education
SCS SB 302 - Elementary and Secondary Education
SB 304 - Veterans
SB 306 - Elementary and Secondary Education
SB 307 - Local Government
SB 308 - Judiciary
SB 317 - Retirement
SB 342 - Judiciary
SB 364 - Corrections and Public Institutions
SB 367 - Workforce Development and Workplace Safety
SB 422 - Judiciary
SCS SB 423 - Crime Prevention and Public Safety
SCS SB 501 - Children and Families

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 586**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 66**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 91**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Roark reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SS SB 539**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 461**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 36**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 209**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 202, 33, 45, 183 & 217**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS#2 HB 232** and **HB 600**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 27, introduced by Representative Vogt, relating to the judicial department.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 887, introduced by Representative Byrd, relating to the protection of residents of long-term care facilities.

HB 888, introduced by Representative Byrd, relating to peace officers.

HB 889, introduced by Representative Byrd, relating to the historic preservation tax credit.

HB 890, introduced by Representative Byrd, relating to class action lawsuits for unlawful merchandising practices.

HB 891, introduced by Representative Pratt, relating to consolidation of fire protection districts.

HB 892, introduced by Representative Pratt, relating to expert witness testimony.

HB 893, introduced by Representative Pratt, relating to public rights-of-way.

HB 894, introduced by Representative Sater, relating to advanced health care directives.

HB 895, introduced by Representative LeVota, relating to a tax credit for military-related employees.

HB 896, introduced by Representative Aull, relating to school funding.

HB 897, introduced by Representative Vogt, relating to benefits for circuit court judges, administrative law judges, and their employees.

HB 898, introduced by Representatives Vogt and Burnett, relating to administrative law judges.

HB 899, introduced by Representatives Lampe, Harris (110), Wildberger, Baker (25), Robinson, Schoemehl, Roorda, Aull, Witte, Salva, Rucker, Wallace and Wasson, relating to state emblems.

HB 900, introduced by Representative Fraser, relating to licensure of homes for children.

HB 901, introduced by Representatives Pratt, Baker (25), Yates, Dusenberger, Threlkeld, Cooper (155), Schaaf, Hughes, Lowe (44), LeVota, Sutherland, Hobbs, Hubbard and Behnen, relating to the establishment of the Missouri state diabetes commission.

HB 902, introduced by Representatives Pratt and Pearce, relating to computer spyware.

HB 903, introduced by Representatives Cooper (120) and Skaggs, relating to child custody.

HB 904, introduced by Representatives Robinson, Harris (110), Roorda, Aull, Kuessner, Henke, Rucker, Lampe, Witte, Jones, Black, Barnitz, Swinger, Casey, Parson and Wagner, relating to forfeiture of personal property of offenders who escape or abscond.

HB 905, introduced by Representatives Davis, Nieves, Moore, Bearden, Deeken, Rupp, Cooper (155), Sander, Smith (14), Cunningham (86), Avery, Kelly, Lembke, Phillips, Emery, Rector, Wright (159), McGhee, Jones, Robb, Franz, Icet, Denison, Fisher, Chinn, Nolte, Sater, Dixon, Schaaf and Jackson, relating to health care directives.

HB 906, introduced by Representatives Lowe (44), Burnett, Wagner and Dougherty, relating to notices of elections.

HB 907, introduced by Representatives Lowe (44), Baker (25), Shoemyer and Harris (23), relating to renewable energy resources.

HB 908, introduced by Representative Hunter, relating to workers' compensation.

HB 909, introduced by Representative Young, relating to school districts.

HB 910, introduced by Representatives Baker (25), Tilley, Threlkeld, Wildberger, Kuessner, Bruns, Parson, Witte, Shoemyer, LeVota, Page, Jones, Bean, Hobbs, Wright-Jones, Lampe and Aull, relating to the Missouri medical malpractice insurance company act.

HB 911, introduced by Representatives Munzlinger, Pollock and Barnitz, relating to the criminal justice system.

HB 912, introduced by Representative Sutherland, relating to electronically filed tax returns.

HB 913, introduced by Representatives Aull, Lampe, Wallace, Robinson, Brown (50), Kuessner, Fraser, Schoemehl, Rucker, May, Wood, Loehner, Schad, Viebrock, Wells, Parson and Baker (25), relating to reporting school district operating fund balances and related information.

HB 914, introduced by Representative Hobbs, relating to electronic devices.

HB 915, introduced by Representatives Fares, Bivins, Byrd and St. Onge, relating to local sales taxes.

HB 916, introduced by Representative Cooper (120), relating to professional licenses.

HB 917, introduced by Representative Cooper (158), relating to powers and duties of the lieutenant governor.

HB 918, introduced by Representatives Franz, Dethrow, Weter, Schlottach, Wells, May, Rector and Emery, relating to registered sex offender designations on driver's licenses.

HB 919, introduced by Representative Baker (123), relating to the establishment of a virtual school.

HB 920, introduced by Representatives Lipke, Cunningham (86) and Flook, relating to criminal forfeiture reform.

HB 921, introduced by Representatives Rucker, Shoemyer, Meiners, Hughes, Low (39), Wright (137), Robb, Black, Hoskins, Robinson, Donnelly, Swinger, Aull, Sanders Brooks, Boykins, Johnson (61), Bland, Hubbard and Dougherty, relating to payments of property taxes.

HB 922, introduced by Representatives Quinn, Wallace, Robb, Hobbs and Myers, relating to drivers' licenses.

HB 923, introduced by Representatives Low (39), Baker (25), Lampe, Oxford, Fraser, Schoemehl, Bringer, Young, Harris (110), Johnson (61), Curls, Storch, Sanders Brooks, Boykins, Wright-Jones, Jolly, Lowe (44), Meiners, Walton and El-Amin, relating to health insurance coverage for cervical cancer testing.

HB 924, introduced by Representatives Wallace, Aull, Behnen, Fraser, Sanders Brooks, Loehner, Cunningham (145), Parson, Wood, Weter, Lampe, Wasson, Viebrock, Jetton, Schad, Dethrow, Quinn, Wilson (119), Nolte, Baker (123), Pollock, Smith (118), Faith, Smith (14), Pratt, Marsh, Dusenberg, Liese, Hunter, Casey, Kuessner, Schoemehl, Dougherty, Henke, Jones, Robb, Icet, Franz, Munzlinger, Sander, Bearden, Wilson (130), Kingery, St. Onge, Schlottach, Whorton, Baker (25), Oxford, Walton, Corcoran, Swinger, Rucker and Witte, relating to liability for school employees and volunteers.

HB 925, introduced by Representative Salva, relating to medical malpractice insurance for long-term care facilities.

HB 926, introduced by Representative Cooper (120), relating to the Law Enforcement Safety fund.

HB 927, introduced by Representatives Bivins, St. Onge, Threlkeld and Lembke, relating to the board of directors of a fire protection district.

HB 928, introduced by Representative Liese, relating to subsidies for adopted children.

HB 929, introduced by Representative Brown (30), relating to voter registration.

HB 930, introduced by Representative Brown (30), relating to sale of tobacco products.

HB 931, introduced by Representatives Harris (23), Liese, Wildberger, LeVota, Chappelle-Nadal, Jolly, Burnett, Oxford, Baker (25), Darrough, Schoemehl and Storch, relating to crime victim's right to take leave from employment to attend a criminal proceeding.

HB 932, introduced by Representative Harris (23), relating to establishment of paternity.

HB 933, introduced by Representative Hunter, relating to the fire education fund.

HB 934, introduced by Representatives Bland, Wright-Jones, Hughes, Rucker, Skaggs, Brown (50), Casey, Schoemehl, Johnson (61), Sanders Brooks, Boykins, Hoskins, Baker (25), Lampe, Storch, El-Amin, Hubbard and Wildberger, relating to the Missouri consolidated health care plan.

HB 935, introduced by Representatives Goodman and Wasson, relating to county prosecutors.

HB 936, introduced by Representative Sutherland, relating to sales tax licenses.

HB 937, introduced by Representatives Kraus, Chappelle-Nadal, Avery, Johnson (47), McGhee, Jones, Shoemyer, Threlkeld, Nolte and Jolly, relating to bullying in public schools.

HB 938, introduced by Representatives Hughes, Boykins, Hubbard, LeVota, Parker, Daus, Wright-Jones, Hoskins, Wildberger, Rucker, Bland, Brown (50), Pratt, Chappelle-Nadal, Storch, Sanders Brooks, Villa, Jetton, Dempsey, Cooper (120), Sutherland and Hunter, relating to the rights of victims of sexual offenses.

HB 939, introduced by Representative Barnitz, relating to transient guest tax.

HB 940, introduced by Representative Robb, relating to a flat income tax.

HB 941, introduced by Representative Stefanick, relating to tuition rates for undergraduate students at institutions of higher education.

HB 942, introduced by Representatives Baker (25), Walton, Harris (110), Schoemehl, Muschany, McGhee, Brown (50), Low (39), Storch, Page, Lampe, Schaaf and Oxford, relating to school nutrition.

HB 943, introduced by Representatives Baker (25), Walton, Roorda, Harris (110), Low (39), Storch, Lowe (44), Aull and Schoemehl, relating to radioactive and transuranic waste.

HB 944, introduced by Representative Daus, relating to jury service.

HB 945, introduced by Representative Corcoran, relating to fines collected in prosecutions involving manufacture or distribution of methamphetamine.

HB 946, introduced by Representative Cunningham (86), relating to school attire.

HB 947, introduced by Representative Cunningham (86), relating to motorized bicycles.

HB 948, introduced by Representatives Cooper (158), Smith (14), Baker (123), Davis, Sater and May, relating to voting rights.

HB 949, introduced by Representatives Walton, Jackson and Boykins, relating to medical assistance.

HB 950, introduced by Representatives Dusenberg and Cooper (158), relating to the governor's security division of the Missouri state highway patrol.

HB 951, introduced by Representative Nolte, relating to prohibiting the possession, use or abuse of certain substances and devices.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 84**, entitled:

An act to repeal sections 115.315 and 115.327, RSMo, and to enact in lieu thereof two new sections relating to the formation of a new political party.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 170**, entitled:

An act to repeal sections 260.900, 260.905, 260.925, 260.935, 260.940, 260.945, and 260.960, RSMo, and to enact in lieu thereof eight new sections relating to hazardous waste, with an emergency clause and an expiration date.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 347**, entitled:

An act to repeal section 337.510, RSMo, and to enact in lieu thereof one new section relating to licensing requirements for professional counselors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 358**, entitled:

An act to repeal sections 67.1956, 67.1959, 67.1968, and 67.1979, RSMo, and to enact in lieu thereof four new sections relating to tourism community enhancement districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 374**, entitled:

An act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a certain highway.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 394**, entitled:

An act to repeal section 30.720, RSMo, relating to financial institutions doing business in northern Ireland.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 401**, entitled:

An act to repeal sections 86.260, 86.280, 86.283, and 86.287, RSMo, and to enact in lieu thereof four new sections relating to police relief and pension systems.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 450**, entitled:

An act to authorize the conveyance of state property.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 479**, entitled:

An act to repeal section 105.483, RSMo, and to enact in lieu thereof one new section relating to filing of financial interest statements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 480**, entitled:

An act to amend chapter 167, RSMo, by adding thereto one new section relating to effective involvement by parents and families in support of their children's education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 490**, entitled:

An act to repeal section 71.012, RSMo, and to enact in lieu thereof one new section relating to annexation procedures for cities and towns.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 496**, entitled:

An act to repeal section 217.105, RSMo, and to enact in lieu thereof one new section relating to corrections officer certification commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 502**, entitled:

An act to authorize the conveyance of property owned by the state in St. Louis County to the Manchester United Methodist Church, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 507**, entitled:

An act to repeal section 55.160, RSMo, and to enact in lieu thereof one new section relating to inventory of county property.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 516**, entitled:

An act to repeal section 99.847, RSMo, and to enact in lieu thereof one new section relating to districts providing emergency services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 518**, entitled:

An act to repeal section 191.859, RSMo, and to enact in lieu thereof two new sections relating to the advisory assistive technology council.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 526**, entitled:

An act to repeal section 166.420, RSMo, and to enact in lieu thereof one new section relating to the minimum time for holding investments in the Missouri higher education savings program.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Friday, April 1, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Kathy Chinn, District 8, hereby state and affirm that my vote as recorded on Page 753 of the House Journal for Wednesday, March 30, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2005.

/s/ Kathy Chinn
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Fred Kratky, District 65, hereby state and affirm that my vote as recorded on Pages 752 and 767 of the House Journal for Wednesday, March 30, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2005.

/s/ Fred Kratky
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative B.J. Marsh, District 136, hereby state and affirm that my vote as recorded on the motion to third read and pass House Bill No. 33 of the House Journal for Thursday, March 31, 2005 showing that I was absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2005.

/s/ B.J. Marsh
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sharon Sanders Brooks, District 37, hereby state and affirm that my vote as recorded on the motion to third read and pass House Bill No. 681 of the House Journal for Thursday, March 31, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 31st day of March 2005.

/s/ Sharon Sanders Brooks
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 31st day of March in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Friday, April 1, 2005, 8:00 a.m. Hearing Room 3.

Appropriation recommendations/Markup. Executive session may follow. CANCELLED

BUDGET

Monday, April 4, 2005, 12:00 p.m. Hearing Room 3.

Markup.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5,
HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Monday, April 4, 2005, 8:00 p.m. Hearing Room 3.

Markup. Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5,
HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Tuesday, April 5, 2005, 8:00 a.m. Hearing Room 3.

Markup. Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5,
HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Tuesday, April 5, 2005, 12:00 p.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 2:00 p.m.

BUDGET

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 10:00 p.m.

BUDGET

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 2:00 p.m.

BUDGET

Wednesday, April 6, 2005, 6:00 p.m. Hearing Room 3.
Markup. House Bills 1 through 13.
Executive session may follow.
Committee will adjourn at 10:00 p.m.

BUDGET

Thursday, April 7, 2005, 2:00 p.m. Hearing Room 3.
Markup. House Bills 1 through 13.
Executive session may follow.

CHILDREN AND FAMILIES

Monday, April 4, 2005, House Chamber side gallery upon afternoon adjournment.
Executive session will be held on: HCS HB 568

CHILDREN AND FAMILIES

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HB 452, HB 536

CORRECTIONS AND PUBLIC INSTITUTIONS

Monday, April 4, 2005, House Chamber side gallery upon evening adjournment.
Executive session will be held on: SCS SB 69

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 793, HB 97, SCS SB 10 & 27

FISCAL REVIEW

Tuesday, April 5, 2005, 9:00 a.m. Hearing Room 5.
Executive session will be held on: HCS HB 394

HEALTH CARE POLICY

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearing to be held on: HB 636

HIGHER EDUCATION

Tuesday, April 5, 2005, 12:00 p.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 753, HB 742

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Thursday, April 7, 2005, 8:30 a.m. House Lounge.

Vote to approve the 12-7-04 report of the Joint Committee on
Terrorism, Bioterrorism and Homeland Security.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 6.

Hearing will begin at 6:00 p.m. or adjournment which ever is later.

It is imperative that every member attend this meeting.

Public hearing to be held on: HB 771

TRANSPORTATION

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 612, HB 777, HB 760, HB 632

HOUSE CALENDAR

FORTY-SIXTH DAY, FRIDAY, APRIL 1, 2005

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 27

HOUSE BILLS FOR SECOND READING

HB 887 through HB 951

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 16 - Chinn

HOUSE BILLS FOR PERFECTION

- | | | |
|----|------------------------------|--------------------------------|
| 1 | HB 344 - Baker (123) | |
| 2 | HB 376 - Guest | |
| 3 | HCS HB 388 - Yates | |
| 4 | HCS HB 576 - Flook | |
| 5 | HCS HB 64 - Sutherland | |
| 6 | HCS HB 286 - Bland | |
| 7 | HCS HB 519 - Roark | (3 hours debate on Perfection) |
| 8 | HB 539 - Icet | |
| 9 | HCS HB 474 - Yates | |
| 10 | HCS HB 628 - Byrd | |
| 11 | HCS HB 639 - Cunningham (86) | |
| 12 | HB 700 - Moore | |

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- 13 HB 375 - Nance
- 14 HB 410 - Flook
- 15 HCS HB 532 - Spreng
- 16 HCS HB 255 - Cunningham (86)
- 17 HCS HB 387 - Byrd
- 18 HCS HB 518, 288, 418 & 635 - St. Onge
- 19 HCS HB 525 - May
- 20 HB 530 - Moore
- 21 HCS HB 353 - Lipke (2 hours debate on Perfection)
- 22 HB 205 - Salva
- 23 HCS HB 49 & 50 - Jolly

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 738 - Behnen

HOUSE BILLS FOR PERFECTION - CONSENT

(3/22/05)

- 1 HB 450 - Meiners
- 2 HB 685 - Franz
- 3 HB 707 - Cunningham (145)
- 4 HB 743 - Kingery

HOUSE BILL FOR THIRD READING

HCS HB 394, (Fiscal Review 3-31-05) - Byrd

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 508, E.C. - Pratt
- 2 HCS#2 HB 232 - Portwood
- 3 HB 600 - Cooper (155)

SENATE BILLS FOR SECOND READING

- 1 SCS SB 84
- 2 SCS SB 170
- 3 SB 347
- 4 SB 358
- 5 SCS SB 374
- 6 SB 394
- 7 SB 401
- 8 SCS SB 450
- 9 SB 479

- 10 SB 480
- 11 SB 490
- 12 SCS SB 496
- 13 SCS SB 502
- 14 SB 507
- 15 SB 516
- 16 SB 518
- 17 SB 526

SENATE BILL FOR THIRD READING

HCS SCS SBs 202, 33, 45, 183 & 217, E.C. - Smith (118)

BILL IN CONFERENCE

SCS HCS HB 14, as amended - Lager

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 5 HCR 20, (3-09-05, Page 553) - Rupp

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-SIXTH DAY, FRIDAY, APRIL 1, 2005

The House met pursuant to adjournment.

Representative Deeken in the Chair.

Prayer by Chris Dunn, Legislator Assistant to Representative Marilyn Ruestman.

Father in Heaven,

In the Psalms, it is written:

Praise the Lord, all you nations;
extol Him, all you peoples.
For great is His love toward us,
and the faithfulness of the LORD endures forever.
Praise the Lord. (Psalm 117)

Today we praise You for ruling the nations and showing us each day the great love You have for us and the faithfulness You provide that sustains us.

We thank You as well for the privilege to serve here in this building and ask You to give us wisdom in the decisions we make and help us to protect the rights and freedoms we hold dear.

In Your name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE CONCURRENT RESOLUTION

Representative Aull offered House Concurrent Resolution No. 32.

Representative Jetton, et al., offered House Concurrent Resolution No. 33.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1707

through

House Resolution No. 1710 - Representative Witte

House Resolution No. 1711

and

House Resolution No. 1712 - Representative Brown (50)

House Resolution No. 1713

through

House Resolution No. 1726 - Representative Smith (118)

House Resolution No. 1727

through

House Resolution No. 1730 - Representative Lager

House Resolution No. 1731 - Representative Harris (110)

House Resolution No. 1732 - Representative Cooper (120)

House Resolution No. 1733 - Representatives Cooper (120) and Pearce

House Resolution No. 1734 - Representative Nolte

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 27 was read the second time.

SECOND READING OF HOUSE BILLS

HB 887 through **HB 951** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 84, SCS SB 170, SB 347, SB 358, SCS SB 374, SB 394, SB 401, SCS SB 450, SB 479, SB 480, SB 490, SCS SB 496, SCS SB 502, SB 507, SB 516, SB 518 and SB 526 were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 925 - Insurance Policy

COMMITTEE REPORT

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 679**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 44(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 450, HB 685, HB 707 and HB 743.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 952, introduced by Representative Icet, relating to alternative funding sources for certain personal care services.

HB 953, introduced by Representative Witte, relating to school district annexation.

HB 954, introduced by Representative Witte, relating to transportation sales tax.

HB 955, introduced by Representatives Wilson (130), Dethrow, Smith (118) and Ruestman, relating to establishment of the open contracting act.

HB 956, introduced by Representative Wright-Jones, relating to public utilities.

HB 957, introduced by Representatives Goodman, Lipke, Quinn, Ruestman, Wood, Flook, Day, Lembke, Richard, Weter, Roark, Dixon, Wilson (119), Emery, Wells, Myers, Denison and Moore, relating to unlawful use of weapons.

HB 958, introduced by Representative Lager, relating to lost and unclaimed property.

HB 959, introduced by Representative Baker (25), relating to insurance coverage for certain public assistance recipients.

HB 960, introduced by Representative Stefanick, relating to the tax deduction for long-term care insurance.

HB 961, introduced by Representative Icet, relating to a federal reimbursement allowance for certain health benefit plans.

HB 962, introduced by Representative Darrough, relating to courts.

HB 963, introduced by Representatives Harris (110), Swinger, Yaeger and Roorda, relating to alternatives to abortion services.

HB 964, introduced by Representative Harris (110), relating to livestock.

HB 965, introduced by Representative Pearce, relating to financial institutions doing business in northern Ireland.

HB 966, introduced by Representatives Portwood and Lembke, relating to property tax relief.

HB 967, introduced by Representative Storch, relating to nonresident income tax.

HB 968, introduced by Representatives Yates and Ervin, relating to the small business health fairness act of 2005.

HB 969, introduced by Representative Yates, relating to general assembly members salaries.

HB 970, introduced by Representative Yates, relating to adoption subsidies.

HB 971, introduced by Representative Dempsey, relating to taxes on the sale of cigarettes and tobacco products.

HB 972, introduced by Representatives Jetton, Wood, Emery, McGhee, Wilson (119), Page, Parson, Wilson (130), Kraus, Behnen, Day, Selby, Franz, Schad, Brown (30), Wildberger, Phillips, Jones, Pearce, Bivins, Richard, Wasson, Cunningham (145), Nance, Wright-Jones, Yaeger, Dusenber, Nolte, Ruestman, Cunningham (86) and Jolly, relating to intoxication-related traffic offenses.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 14**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 14, with Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 14, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 14.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Norma Champion
/s/ Pat Dougherty
/s/ Joan Bray

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Mike Sutherland
/s/ Wes Shoemyer
/s/ Paul LeVota

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 68**, entitled:

An act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to exemptions from state and local sales and use tax

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 216**, entitled:

An act to amend chapter 492, RSMo, by adding thereto one new section relating to depositions of state crime laboratory employees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 310**, entitled:

An act to repeal section 143.265, RSMo, and to enact in lieu thereof one new section relating to withholding of retirement income.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 318**, entitled:

An act to repeal sections 36.031, 361.170, and 370.107, RSMo, and to enact in lieu thereof three new sections relating to compensation for financial institution regulators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 320**, entitled:

An act to repeal sections 429.010 and 429.080, RSMo, and to enact in lieu thereof two new sections relating to mechanic liens.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 323**, entitled:

An act to amend chapter 196, RSMo, by adding thereto one new section relating to umbilical cord blood banks.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 354**, entitled:

An act to amend chapter 226, RSMo, by adding thereto one new section relating to state enforcement of certain federal orders prohibiting the operation of commercial motor vehicles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 355**, entitled:

An act to repeal section 311.554, RSMo, and to enact in lieu thereof fifteen new sections relating to the Missouri wine and grape board.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 357**, entitled:

An act to repeal sections 86.370, 86.373, 86.374, 86.377, 86.380, 86.383, 86.387, 86.390, 86.393, 86.394, 86.397, 86.398, 86.400, 86.403, 86.407, 86.410, 86.413, 86.417, 86.420, 86.423, 86.427, 86.430, 86.433, 86.434, 86.437, 86.440, 86.441, 86.442, 86.443, 86.445, 86.447, 86.450, 86.453, 86.457, 86.460, 86.463, 86.467, 86.470, 86.473, 86.477, 86.480, 86.483, 86.487, 86.490, 86.493, 86.497, 86.600, 86.610, 86.611, 86.620, 86.630, 86.640, 86.650, 86.660, 86.665, 86.670, 86.671, 86.672, 86.675, 86.676, 86.680, 86.690, 86.700, 86.710, 86.720, 86.730, 86.740, 86.745, 86.750, 86.760, 86.770, 86.780, and 86.790, RSMo, and to enact in lieu thereof seventy-three new sections relating to Kansas City police retirement.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 361**, entitled:

An act to repeal section 94.070, RSMo, and to enact in lieu thereof one new section relating to maximum levies for special purposes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 372**, entitled:

An act to repeal sections 300.330 and 307.180, RSMo, and to enact in lieu thereof six new sections relating to bicycle safety.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 378**, entitled:

An act to repeal section 301.301, RSMo, and to enact in lieu thereof two new sections relating to stolen license plate tabs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 380**, entitled:

An act to repeal section 182.707, RSMo, and to enact in lieu thereof one new section relating to qualifications of the chief executive officer of the urban public library district.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 390**, entitled:

An act to repeal section 301.567, RSMo, and to enact in lieu thereof one new section relating to motor vehicle dealers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 392**, entitled:

An act to authorize the sale of certain state property, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 396**, entitled:

An act to repeal sections 144.805 and 305.230, RSMo, and to enact in lieu thereof two new sections relating to aviation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 404**, entitled:

An act to repeal sections 488.031, 488.445, and 488.607, RSMo, and to enact in lieu thereof four new sections relating to court costs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 405**, entitled:

An act to repeal sections 494.430 and 494.432, RSMo, and to enact in lieu thereof two new sections relating to jury service.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 407**, entitled:

An act to repeal section 461.005, RSMo, and to enact in lieu thereof one new section relating to beneficiary deeds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 418**, entitled:

An act to repeal section 595.045, RSMo, and to enact in lieu thereof one new section relating to crime victims' compensation fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 420 & 344**, entitled:

An act to repeal section 534.090, RSMo, and to enact in lieu thereof one new section relating to service of summons in unlawful detainer actions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 431**, entitled:

An act to repeal section 144.518, RSMo, and to enact in lieu thereof two new sections relating to local sales taxes for museum and tourism-related activities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 453**, entitled:

An act to repeal section 82.291, RSMo, and to enact in lieu thereof one new section relating to removal of nuisances, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 464**, entitled:

An act to repeal section 217.905, RSMo, and to enact in lieu thereof one new section relating to the Missouri state penitentiary redevelopment commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 488**, entitled:

An act to repeal sections 301.020 and 301.190, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle registration, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 521**, entitled:

An act to repeal section 26.607, RSMo, and to enact in lieu thereof one new section relating to the powers and duties of the lieutenant governor.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 534**, entitled:

An act to repeal section 479.230, RSMo, and to enact in lieu thereof one new section relating to absent municipal judges.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Harris (23) and Moore.

ADJOURNMENT

On motion of Representative Deeken, the House adjourned until 4:00 p.m., Monday, April 4, 2005.

COMMITTEE MEETINGS

BUDGET

Monday, April 4, 2005, 12:00 p.m. Hearing Room 3.

Markup.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Monday, April 4, 2005, 8:00 p.m. Hearing Room 3.

Markup. Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Tuesday, April 5, 2005, 8:00 a.m. Hearing Room 3.

Markup. Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Tuesday, April 5, 2005, 12:00 p.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 2:00 p.m.

BUDGET

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 10:00 p.m.

BUDGET

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 2:00 p.m.

BUDGET

Wednesday, April 6, 2005, 6:00 p.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 10:00 p.m.

BUDGET

Thursday, April 7, 2005, 2:00 p.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

CHILDREN AND FAMILIES

Monday, April 4, 2005, House Chamber side gallery upon afternoon adjournment.

Executive session will be held on: HCS HB 568

CHILDREN AND FAMILIES

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 452, HB 536

CORRECTIONS AND PUBLIC INSTITUTIONS

Monday, April 4, 2005, House Chamber side gallery upon evening adjournment.

Executive session will be held on: SCS SB 69

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 793, HB 97, SCS SB 10 & 27

FISCAL REVIEW

Tuesday, April 5, 2005, 9:00 a.m. Hearing Room 5.

Executive session will be held on: HCS HB 394

HEALTH CARE POLICY

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 636

HIGHER EDUCATION

Tuesday, April 5, 2005, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 753, HB 742

INSURANCE POLICY

Tuesday, April 5, 2005, Hearing Room 7 upon evening adjournment.

Executive session may follow

Public hearings to be held on: HB 866, HB 846,

HB 202, SB 131, SCS SB 133, SB 261

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Thursday, April 7, 2005, 8:30 a.m. House Lounge.

Vote to approve the 12-7-04 report of the Joint Committee on
Terrorism, Bioterrorism and Homeland Security.

JUDICIARY

Tuesday, April 5, 2005, Hearing Room 7 upon morning recess.

Executive session may follow

Public hearings to be held on: HB 794, HB 826, SB 86

RULES

Monday, April 4, 2005, 2:00 p.m. Hearing Room 4.

Executive session may follow

Public hearings to be held on: HB 417, HCS HB 400, HCS HB 440,

HCS HCR 24, HB 320, HCS HB 276, HCS HB 461, HCS HB 649, SS SB 539

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 6.

Hearing will begin at 6:00 p.m. or adjournment which ever is later.

It is imperative that every member attend this meeting.

Public hearing to be held on: HB 771

TRANSPORTATION

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 612, HB 777, HB 760, HB 632

HOUSE CALENDAR

FORTY-SEVENTH DAY, MONDAY, APRIL 4, 2005

HOUSE BILLS FOR SECOND READING

HB 952 through HB 972

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 16

HOUSE BILLS FOR PERFECTION

- | | | |
|----|---------------------------------------|--------------------------------|
| 1 | HB 344 - Baker (123) | |
| 2 | HB 376 - Guest | |
| 3 | HCS HB 388 - Yates | |
| 4 | HCS HB 576 - Flook | |
| 5 | HCS HB 64 - Sutherland | |
| 6 | HCS HB 286 - Bland | |
| 7 | HCS HB 519 - Roark | (3 hours debate on Perfection) |
| 8 | HB 539 - Icet | |
| 9 | HCS HB 474 - Yates | |
| 10 | HCS HB 628 - Byrd | |
| 11 | HCS HB 639 - Cunningham (86) | |
| 12 | HB 700 - Moore | |
| 13 | HB 375 - Nance | |
| 14 | HB 410 - Flook | |
| 15 | HCS HB 532 - Spreng | |
| 16 | HCS HB 255 - Cunningham (86) | |
| 17 | HCS HB 387 - Byrd | |
| 18 | HCS HB 518, 288, 418 & 635 - St. Onge | |
| 19 | HCS HB 525 - May | |
| 20 | HB 530 - Moore | |

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21	HCS HB 353 - Lipke	(2 hours debate on Perfection)
22	HB 205 - Salva	
23	HCS HB 49 & 50 - Jolly	
24	HCS HB 209 - Cooper (120)	

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 738 - Behnen

HOUSE BILL FOR THIRD READING

HCS HB 394, (Fiscal Review 3-31-05) - Byrd

HOUSE BILLS FOR THIRD READING - CONSENT

1	HCS HB 508, E.C. - Pratt
2	HCS#2 HB 232 - Portwood
3	HB 600 - Cooper (155)
4	HB 450 - Meiners
5	HB 685, E.C. - Franz
6	HB 707 - Cunningham (145)
7	HB 743 - Kingery

SENATE BILLS FOR SECOND READING

1	SCS SB 68
2	SB 216
3	SCS SB 310
4	SB 318
5	SB 320
6	SB 323
7	SCS SB 354
8	SCS SB 355
9	SB 357
10	SB 361
11	SCS SB 372
12	SB 378
13	SB 380
14	SCS SB 390
15	SCS SB 392
16	SB 396
17	SB 404
18	SB 405
19	SCS SB 407
20	SB 418

21 SCS SBs 420 & 344
22 SB 431
23 SB 453
24 SB 464
25 SB 488
26 SB 521
27 SB 534

SENATE BILL FOR THIRD READING

HCS SCS SBs 202, 33, 45, 183 & 217, E.C. - Smith (118)

BILL IN CONFERENCE

CCR SCS HCS HB 14, as amended - Lager

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11, (2-17-05, Pages 351-352) - Sander
2 HCR 4, (3-02-05, Pages 467-468) - Burnett
3 HCR 9, (2-17-05, Page 351) - Bivins
4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
5 HCR 20, (3-09-05, Page 553) - Rupp

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-SEVENTH DAY, MONDAY, APRIL 4, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we will always give thanks to You; We will never stop praising You. You have shown us the path of life, the joy of believing, and the security of Your presence. We have tasted the goodness of Your kindness and take a moment now to just to say “thank You.”

May we be mindful of the awesome responsibility of trust given us by You and the people of this state. We are intensely aware that, as servants, many look to us to help improve their quality of life. May we not deal falsely with that trust.

We thank You for hearing us as we pray and granting wisdom where needed.

We would be remiss if we did not heed Your command to mourn with those who mourn and rejoice with those who rejoice. We mourn the death of Pope John Paul II and celebrate his eternal legacy.

Grace and peace be with us all.

In the authority of Your Son’s name, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashley Bright, Sarah Flowers and Jacob Flowers.

The Journal of the forty-fifth day was approved as corrected.

The Journal of the forty-sixth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1735	-	Representative Day
House Resolution No. 1736	-	Representative Dethrow
House Resolution No. 1737	-	Representative Day
House Resolution No. 1738	-	Representative Bringer
House Resolution No. 1739		
through		
House Resolution No. 1753	-	Representative Whorton

House Resolution No. 1754 - Representative Flook
House Resolution No. 1755
through
House Resolution No. 1760 - Representative Pollock
House Resolution No. 1761 - Representative Wright (159)
House Resolution No. 1762
and
House Resolution No. 1763 - Representative Phillips
House Resolution No. 1764 - Representative Wilson (119)
House Resolution No. 1765
and
House Resolution No. 1766 - Representative Skaggs
House Resolution No. 1767 - Representative Wildberger
House Resolution No. 1768 - Representative Meadows
House Resolution No. 1769 - Representative Harris (23)
House Resolution No. 1770 - Representative Sander
House Resolution No. 1771 - Representative Munzlinger
House Resolution No. 1772
through
House Resolution No. 1777 - Representative Sanders Brooks
House Resolution No. 1778
through
House Resolution No. 1782 - Representative Dougherty

SECOND READING OF HOUSE BILLS

HB 952 through **HB 972** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 68, SB 216, SCS SB 310, SB 318, SB 320, SB 323, SCS SB 354, SCS SB 355, SB 357, SB 361, SCS SB 372, SB 378, SB 380, SCS SB 390, SCS SB 392, SB 396, SB 404, SB 405, SCS SB 407, SB 418, SCS SBs 420 & 344, SB 431, SB 453, SB 464, SB 488, SB 521 and SB 534 were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HCS#2 HB 232, relating to patient health care records, was taken up by Representative Portwood.

Representative LeVota suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 136

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hubbard	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Oxford	Parson
Pearce	Phillips	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 118
Smith 14	Stefanick	St. Onge	Storch	Sutherland
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 159	Young
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Bean	Bland	Bowman	Boykins	Brooks
Casey	Donnelly	El-Amin	Haywood	Hughes
Hunter	Johnson 90	Myers	Page	Parker
Pollock	Rucker	Schneider	Spreng	Stevenson
Swinger	Vogt	Wright 137	Yaeger	Yates
Zweifel				

VACANCIES: 001

On motion of Representative Portwood, **HCS#2 HB 232** was read the third time and passed by the following vote:

AYES: 134

Aull	Avery	Baker 123	Baker 25	Bearden
Behnen	Bivins	Black	Bringer	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal

Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Henke	Hobbs	Hoskins	Hubbard	Icet
Jackson	Johnson 47	Johnson 61	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parson	Pearce	Phillips	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 159	Zweifel	Mr Speaker	

NOES: 007

Barnitz	Darrrough	Daus	Harris 110	Jolly
Whorton	Young			

PRESENT: 000

ABSENT WITH LEAVE: 021

Bean	Bland	Bowman	Boykins	Brooks
Casey	El-Amin	Haywood	Hughes	Hunter
Johnson 90	Page	Parker	Pollock	Rucker
Smith 118	Stevenson	Swinger	Wright 137	Yaeger
Yates				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 600, relating to licensing of professional counselors, was taken up by Representative Cooper (155).

On motion of Representative Cooper (155), **HB 600** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Chinn	Cooper 120	Cooper 155	Cooper 158

Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Henke
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Parson	Pearce	Phillips
Portwood	Pratt	Quinn	Rector	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	St. Onge	Storch	Sutherland
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Bean	Bland	Bowman	Boykins	Brooks
Casey	El-Amin	Haywood	Hughes	Johnson 90
Page	Parker	Pollock	Richard	Stevenson
Swinger	Yaeger			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 450, relating to wine sales, was taken up by Representative Meiners.

On motion of Representative Meiners, **HB 450** was read the third time and passed by the following vote:

AYES: 132

Aull	Avery	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Boykins	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Fares	Fisher	Franz	Fraser

George	Goodman	Guest	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Parson	Phillips	Quinn
Rector	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Smith 118	Smith 14
Spreng	Stefanick	St. Onge	Storch	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 014

Baker 123	Dethrow	Ervin	Faith	Flook
Harris 110	Kelly	Pearce	Portwood	Pratt
Roark	Skaggs	Whorton	Wood	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 015

Bean	Bland	Bowman	Casey	El-Amin
Hughes	Johnson 90	Page	Parker	Pollock
Richard	Stevenson	Sutherland	Swinger	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 685, relating to a conveyance in Howell County, was taken up by Representative Franz.

On motion of Representative Franz, **HB 685** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook

Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Parson	Pearce	Phillips	Portwood	Pratt
Quinn	Rector	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bean	Bland	Bowman	Casey	Hughes
Johnson 90	Kratky	Page	Parker	Pollock
Richard	Stevenson	Sutherland	Swinger	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hunter	Ice
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany

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Myers	Nance	Nieves	Nolte	Oxford
Parson	Pearce	Phillips	Portwood	Pratt
Quinn	Rector	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 004

Johnson 61	LeVota	Shoemyer	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 013

Bean	Bland	Casey	Hughes	Johnson 90
Page	Parker	Pollock	Richard	Stevenson
Swinger	Wright 137	Yaeger		

VACANCIES: 001

HB 743, relating to a conveyance in Madison County, was taken up by Representative Kingery.

On motion of Representative Kingery, **HB 743** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Parson
Pearce	Phillips	Portwood	Pratt	Quinn
Rector	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander

Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bean	Bland	Casey	Chinn	Dusenberg
Hughes	Johnson 90	Lembke	Page	Parker
Pollock	Richard	Stevenson	Swinger	Yaeger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HB 738, relating to real estate appraisers, was taken up by Representative Behnen.

Representative Behnen offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 738, Page 1, Section 339.515, Line 16, by inserting immediately after said line the following;

"Section B. Because of the need to comply with federal law, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Behnen, **House Amendment No. 1** was adopted.

On motion of Representative Behnen, **HB 738, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 16, relating to parks and soils tax, was taken up by Representative Chinn.

On motion of Representative Chinn, **HCS HJR 16** was adopted.

On motion of Representative Chinn, **HCS HJR 16** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 875 - Corrections and Public Institutions
HB 881 - Workforce Development and Workplace Safety
HB 912 - Ways and Means
HB 948 - Elections

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 32 - Local Government

RE-REFERRAL OF SENATE BILLS

The following Senate Bills were re-referred to the Committee indicated:

SCS SB 28 - Professional Registration and Licensing
SB 42 - Children and Families

COMMITTEE REPORTS

Committee on Utilities, Chairman Rector reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 640**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SS SCS SB 179**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 276**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 320**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 400**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 417**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 440**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 461**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 649**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 539**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of seven (7) hours for debate on Third Reading**.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, April 5, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Margaret Donnelly, District 73, hereby state and affirm that my vote as recorded on Page 803 of the House Journal for Thursday, March 31, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of April 2005.

/s/ Margaret Donnelly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 4th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Fred Kratky, District 65, hereby state and affirm that my vote as recorded on the motion to third read and pass House Bill No. 685 in the House Journal for Monday, April 4, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further

state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of April 2005.

/s/ Fred Kratky
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 4th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Robin Wright-Jones, District 63, hereby state and affirm that my vote as recorded on Page 797 of the House Journal for Thursday, March 31, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of April 2005.

/s/ Robin Wright-Jones
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 4th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 5, 2005, 12:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 853, HB 864, SB 88, SCS SB 147, SB 171

BUDGET

Tuesday, April 5, 2005, 8:00 a.m. Hearing Room 3.

Markup. Executive session may follow.

Public hearings to be held on: HB 1, HB 2, HB 3, HB 4, HB 5,
HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

BUDGET

Tuesday, April 5, 2005, 12:00 p.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 2:00 p.m.

BUDGET

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 3.
Markup. House Bills 1 through 13.
Executive session may follow.
Committee will adjourn at 10:00 p.m.

BUDGET

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 3.
Markup. House Bills 1 through 13.
Executive session may follow.
Committee will adjourn at 2:00 p.m. AMENDED
Public hearing to be held on: HJR 12

BUDGET

Wednesday, April 6, 2005, 6:00 p.m. Hearing Room 3.
Markup. House Bills 1 through 13.
Executive session may follow.
Committee will adjourn at 10:00 p.m.

BUDGET

Thursday, April 7, 2005, 2:00 p.m. Hearing Room 3.
Markup. House Bills 1 through 13.
Executive session may follow.

CHILDREN AND FAMILIES

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 7.
Executive session may follow.
Public hearings to be held on: HB 452, HB 536

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 6, 2005, Hearing Room 1 upon evening adjournment.
Executive session may follow.
Public hearings to be held on: HB 824, HB 549, HB 698, HB 706, SS SJR 1

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 1.
Executive session may follow. AMENDED
Public hearings to be held on: HB 793, HB 97,
SCS SB 10 & 27, SCS SB 423, SCS SB 73

ELECTIONS

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 5.
Executive session will follow.
Public hearings to be held on: HB 728, HB 608, HB 948

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 6, 2005, 9:15 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: SCS SBs 103 & 115, SCS SB 161, SCS SB 266, SB 298, SB 299, SCS SB 302, SB 306

FINANCIAL INSTITUTIONS

Tuesday, April 5, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SCS SB 270

FISCAL REVIEW

Tuesday, April 5, 2005, 9:00 a.m. Hearing Room 5.

Executive session will be held on: HCS HB 394

HEALTH CARE POLICY

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 636

HIGHER EDUCATION

Tuesday, April 5, 2005, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 753, HB 742

INSURANCE POLICY

Tuesday, April 5, 2005, Hearing Room 7 upon evening adjournment.

Executive session may follow

Public hearings to be held on: HB 866, HB 846, HB 202, SB 131, SCS SB 133, SB 261

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, April 6, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 854, HB 863, SCS SB 170, SB 156

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Thursday, April 7, 2005, 8:30 a.m. House Lounge.

Vote to approve the 12-7-04 report of the Joint Committee on Terrorism, Bioterrorism and Homeland Security.

JUDICIARY

Tuesday, April 5, 2005, Hearing Room 7 upon morning recess.

Executive session may follow AMENDED

Public hearings to be held on: HB 794, HB 826, SB 86, SB 279, SB 165, SB 149, SCS SB 24

LOCAL GOVERNMENT

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. AMENDED
Public hearings to be held on: HB 415, SCS SB 138,
SS SCS SB 210, SCS SB 262, SB 268

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 6, 2005, 12:00 p.m. Hearing Room 1.
Public hearings to be held on: HB 554, HB 855
Executive session may be held on: HB 61, HB 652, HB 662,
HB 665, HB 702, HB 803, HB 855

RETIREMENT

Wednesday, April 6, 2005, 6:00 p.m. Hearing Room 7.
Executive session may follow. AMENDED
Public hearings to be held on: HB 804, HB 327, HB 721, SB 317

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 5, 2005, 6:00 p.m. Hearing Room 6.
Hearing will begin at 6:00 p.m. or adjournment which ever is later.
It is imperative that every member attend this meeting.
Public hearing to be held on: HB 771

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, April 6, 2005, Hearing Room 4 upon evening adjournment.
Executive session may follow.
Public hearings to be held on: HB 880, SCS SB 246

TRANSPORTATION

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 1.
Executive session may follow. AMENDED
Public hearings to be held on: HB 612, HB 777, HB 760, HB 632,
HB 223, HB 147, SB 38, SB 209, SCS SB 233

HOUSE CALENDAR

FORTY-EIGHTH DAY, TUESDAY, APRIL 5, 2005

HOUSE BILLS FOR PERFECTION

- | | | |
|---|------------------------|--------------------------------|
| 1 | HB 344 - Baker (123) | |
| 2 | HB 376 - Guest | |
| 3 | HCS HB 388 - Yates | |
| 4 | HCS HB 576 - Flook | |
| 5 | HCS HB 64 - Sutherland | |
| 6 | HCS HB 286 - Bland | |
| 7 | HCS HB 519 - Roark | (3 hours debate on Perfection) |

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- 8 HB 539 - Icet
- 9 HCS HB 474 - Yates
- 10 HCS HB 628 - Byrd
- 11 HCS HB 639 - Cunningham (86)
- 12 HB 700 - Moore
- 13 HB 375 - Nance
- 14 HB 410 - Flook
- 15 HCS HB 532 - Spreng
- 16 HCS HB 255 - Cunningham (86)
- 17 HCS HB 387 - Byrd
- 18 HCS HB 518, 288, 418 & 635 - St. Onge
- 19 HCS HB 525 - May
- 20 HB 530 - Moore
- 21 HCS HB 353 - Lipke (2 hours debate on Perfection)
- 22 HB 205 - Salva
- 23 HCS HB 49 & 50 - Jolly
- 24 HCS HB 209 - Cooper (120)

HOUSE JOINT RESOLUTION FOR THIRD READING

HCS HJR 16 - Chinn

HOUSE BILL FOR THIRD READING

HCS HB 394, (Fiscal Review 3-31-05) - Byrd

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HB 738, E.C. - Behnen

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 508, E.C. - Pratt
- 2 HB 707 - Cunningham (145)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SBs 202, 33, 45, 183 & 217, E.C. - Smith (118)
- 2 SS SB 539 - Stefanick (7 hours debate on Third Reading)

BILL IN CONFERENCE

CCR SCS HCS HB 14, as amended - Lager

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 5 HCR 20, (3-09-05, Page 553) - Rupp

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-EIGHTH DAY, TUESDAY, APRIL 5, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

Let us pray, on this day of voting.

Lord our God, we thank You for creating humankind in Your image and likeness. You gave us the ability to “choose the good” (Isaiah 7:15), as one of our highest forms of acting the way You act.

We pray for the people, the citizens of our state. Inspire them to go to the polls and carefully to “choose the good” as they vote today. In this simple act, help them experience their personal dignity, their individual power, and the fulfillment of their duty before all the people and even before You, their God.

When the voting is over, give us the humility to discern the meaning of the results. In all our work in this House of Representatives, guide and help us to carefully “choose the good”. Whenever we vote here, may we experience our own dignity of being created in Your image and likeness. Inspire us to cast our votes in the way we believe to be most in harmony with Your will.

We pray to You, who are our God forever and ever. Amen!

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ryan Stellhorn, Christian Winkelmann, Mitchell Brungard, Jimmy Colestock, Patrick Rice, Joseph Benoist, Tawner Stefan, Dainec Stefan, Allison Cecil, Logan Darnell, Jackie Hall, Woody Hall, Karissa Forrest, Brooke Simms, Brian VanMeter, Daylon Duncan, Carrie Schmidt and Avery J. Adams.

The Journal of the forty-seventh day was approved as corrected.

SPECIAL RECOGNITION

Ms. Cathy Clear was introduced by Representative McGhee and recognized as an Outstanding Missourian.

General Randal Castro was introduced by Representative Day and recognized as an Outstanding Missourian.

General Castro addressed the House.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1783 - Representative Avery
House Resolution No. 1784
through
House Resolution No. 1791 - Representative Lager
House Resolution No. 1792 - Representative Stevenson
House Resolution No. 1793
through
House Resolution No. 1795 - Representative Fraser
House Resolution No. 1796 - Representative Flook
House Resolution No. 1797 - Representative Myers
House Resolution No. 1798 - Representative Donnelly
House Resolution No. 1799 - Representative Yaeger
House Resolution No. 1800
and
House Resolution No. 1801 - Representative Wilson (119)

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 394**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Speaker Pro Tem Bearden assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 388, relating to insurance compliance audits, was taken up by Representative Yates.

Representative Yates offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 388, Section 375.1065, Page 4, Line 4, by deleting the words, “**or administrative**”; and

Further amend said section, Page 4, Line 14, after the words, “**of a criminal offense**” by inserting the following words, “**and the prosecuting attorney or attorney general has made a good faith request or lawful subpoena for the information**”; and

Further amend said section, Page 4, Line 14, by inserting after all of said line the following:

“4. In any administrative or civil proceeding initiated by the director, the administrative hearing officer or court may, after an in-camera review, require public disclosure of material for which the privilege established in section 375.1064 is asserted, if the administrative hearing officer or court determines at least one of the following:

(1) The privilege is asserted for a fraudulent purpose;
(2) The material is not subject to the privilege; or
(3) The material contains evidence relevant to a breach of a civil duty owed by the insurer to others, and the director is unable to obtain the substantial equivalent of the information by independent means without incurring unreasonable cost and delay.”; and

Further amend said bill, Section 375.1066, Page 4, Line 2, after the words, “**in-camera hearing**” insert the words, “**pursuant to section 375.1065**”; and

Further amend said section, Page 4, Line 4, after the words, “**to this subsection**” insert the following, “**within forty-five days of the insurer’s receipt of the request for disclosure**”; and

Further amend said section, Page 4, Line 15, after the words, “**camera review**” insert the following, “**pursuant to subsection 2 or 3 of section 375.1065**”; and

Further amend said section, Page 4, Line 16, by deleting the words, “**or administrative**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Yates, **House Amendment No. 1** was adopted.

Representative Schaaf offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 388, Page 3, Section 375.1063, Line 27, by inserting after the number “**375.012**” the words “**and those insurance companies operating under the provisions of chapter 383, RSMo**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 2** was adopted.

Representative Burnett offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 388, Page 4, Section 375.1065.2, Line 5, after the word “disclosure”, insert the following words:

“and order the admissibility of, if otherwise competent”; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Burnett, **House Amendment No. 3** was adopted.

On motion of Representative Yates, **HCS HB 388, as amended**, was adopted.

On motion of Representative Yates, **HCS HB 388, as amended**, was ordered perfected and printed.

Representative Behnen assumed the Chair.

HCS HB 64, relating to a sales and use tax holiday, was taken up by Representative Sutherland.

Representative Bearden offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 64, Page 2, Section 144.049, Line 45, by inserting before the word, “order” the words, “**ordinance or**”; and

Further amend said bill, Page 2, Section 144.049, Line 46, by inserting a “.” after the words, “local sales tax”; and

Further amend said bill, Page 2, Section 144.049, Line 46, by deleting the following words, “however, no such order shall”; and

Further amend said bill, Page 2, Section 144.049, Lines 47-64, by deleting all of said lines and inserting in lieu thereof the following:

“After opting out the political subdivision may rescind the ordinance or order, provided that such order or ordinance shall be enacted not less than 45 calendar days prior to the beginning date of the sales tax holiday occurring in that year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bearden, **House Amendment No. 1** was adopted.

HCS HB 64, as amended, was laid over.

THIRD READING OF HOUSE BILL - CONSENT

HB 707, relating to banks and financial institutions, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **HB 707** was read the third time and passed by the following vote:

AYES: 147

Aull	Baker 123	Baker 25	Bearden	Behnen
Bivins	Black	Bowman	Boykins	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe

Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 014

Avery	Barnitz	Bean	Bland	Donnelly
Hughes	Johnson 90	Marsh	McGhee	Meadows
Pollock	Roorda	Stevenson	Swinger	

VACANCIES: 001

Representative Behnen declared the bill passed.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1802	-	Representative Lager
House Resolution No. 1803		
through		
House Resolution No. 1815	-	Representative Bruns
House Resolution No. 1816		
through		
House Resolution No. 1822	-	Representative Whorton
House Resolution No. 1823	-	Representative Lager

House Resolution No. 1824
through
House Resolution No. 1829 - Representative Whorton
House Resolution No. 1830 - Representative Wildberger
House Resolution No. 1831 - Representative Viebrock
House Resolution No. 1832 - Representative Avery
House Resolution No. 1833 - Representative Bowman
House Resolution No. 1834
through
House Resolution No. 1836 - Representative Wells
House Resolution No. 1837 - Representative George
House Resolution No. 1838 - Representative Roark
House Resolution No. 1839
and
House Resolution No. 1840 - Representative Kraus
House Resolution No. 1841
through
House Resolution No. 1854 - Representative Schad
House Resolution No. 1855 - Representative Hunter, et al.
House Resolution No. 1856
through
House Resolution No. 1860 - Representative Kingery
House Resolution No. 1861 - Representative Behnen
House Resolution No. 1862 - Representative Schneider
House Resolution No. 1863 - Representative Wilson (119)

PERFECTION OF HOUSE BILLS

HCS HB 64, as amended, relating to a sales and use tax holiday, was again taken up by Representative Sutherland.

Representative Sutherland offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 64, Section 144.049, Page 2, Line 43, by inserting after all of said line the following:

“5. This section may not apply to any retailer when less than two percent of their merchandise sold during the sales tax holiday is qualifying items under this section. The retailer may offer a sales tax refund in lieu of the sales tax holiday.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 2** was adopted.

Representative Smith (118) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 64, Page 2, Section 144.049, Line 42, by adding after the word “section” the following:

“applies to sales of tangible personal property bought for personal use only.

5. This section”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 3** was adopted.

On motion of Representative Sutherland, **HCS HB 64, as amended**, was adopted.

On motion of Representative Sutherland, **HCS HB 64, as amended**, was ordered perfected and printed.

HCS HBs 518, 288, 418 & 635, relating to highway safety, was taken up by Representative St. Onge.

Representative Cooper (120) assumed the Chair.

Representative Richard assumed the Chair.

On motion of Representative St. Onge, **HCS HBs 518, 288, 418 & 635** was adopted.

On motion of Representative St. Onge, **HCS HBs 518, 288, 418 & 635** was ordered perfected and printed.

HB 700, relating to endangerment at correctional facilities, was taken up by Representative Moore.

Representative Moore offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Bill No. 700, Page 1, Line 3 of the Title, by deleting the words “endangerment of individuals at correctional facilities” and inserting in lieu thereof the words “department of corrections”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after said line the following:

“217.690. 1. When in its opinion there is reasonable probability that an offender of a correctional center can be released without detriment to the community or to himself, the board may in its discretion release or parole such person except as otherwise prohibited by law. All paroles shall issue upon order of the board, duly adopted.

2. Before ordering the parole of any offender, the board shall have the offender appear before a hearing panel and shall conduct a personal interview with him, unless waived by the offender. A parole shall be ordered only for the best interest of society, not as an award of clemency; it shall not be considered a reduction of sentence or a pardon. An offender shall be placed on parole only when the board believes that he is able and willing to fulfill the obligations of

a law-abiding citizen. Every offender while on parole shall remain in the legal custody of the department but shall be subject to the orders of the board.

3. The board has discretionary authority to require the payment of a fee, not to exceed sixty dollars per month, from every offender placed under board supervision on probation, parole, or conditional release, to waive all or part of any fee, to sanction offenders for willful nonpayment of fees, and to contract with a private entity for fee collections services. All fees collected shall be deposited in the inmate fund established in section 217.430. Fees collected may be used to pay the costs of contracted collections services. The fees collected may otherwise be used to provide community corrections and intervention services for offenders. Such services include substance abuse assessment and treatment, mental health assessment and treatment, electronic monitoring services, residential facilities services, employment placement services, and other offender community corrections or intervention services designated by the board to assist offenders to successfully complete probation, parole, or conditional release. The board shall adopt rules not inconsistent with law, in accordance with section 217.040, with respect to sanctioning offenders and with respect to establishing, waiving, collecting, and using fees.

4. The board shall adopt rules not inconsistent with law, in accordance with section 217.040, with respect to the eligibility of offenders for parole, the conduct of parole hearings or conditions to be imposed upon paroled offenders. Whenever an order for parole is issued it shall recite the conditions of such parole.

[4.] **5.** When considering parole for an offender with consecutive sentences, the minimum term for eligibility for parole shall be calculated by adding the minimum terms for parole eligibility for each of the consecutive sentences, except the minimum term for parole eligibility shall not exceed the minimum term for parole eligibility for an ordinary life sentence.

[5.] **6.** Any offender under a sentence for first degree murder who has been denied release on parole after a parole hearing shall not be eligible for another parole hearing until at least three years from the month of the parole denial; however, this subsection shall not prevent a release pursuant to subsection 4 of section 558.011, RSMo.

[6.] **7.** Parole hearings shall, at a minimum, contain the following procedures:

(1) The victim or person representing the victim who attends a hearing may be accompanied by one other person;

(2) The victim or person representing the victim who attends a hearing shall have the option of giving testimony in the presence of the inmate or to the hearing panel without the inmate being present;

(3) The victim or person representing the victim may call or write the parole board rather than attend the hearing;

(4) The victim or person representing the victim may have a personal meeting with a board member at the board's central office;

(5) The judge, prosecuting attorney or circuit attorney and a representative of the local law enforcement agency investigating the crime shall be allowed to attend the hearing or provide information to the hearing panel in regard to the parole consideration; and

(6) The board shall evaluate information listed in the juvenile sex offender registry pursuant to section 211.425, RSMo, provided the offender is between the ages of seventeen and twenty-one, as it impacts the safety of the community.

[7.] **8.** The board shall notify any person of the results of a parole eligibility hearing if the person indicates to the board a desire to be notified.

[8.] **9.** The board may, at its discretion, require any offender seeking parole to meet certain conditions during the term of that parole so long as said conditions are not illegal or impossible for the offender to perform. These conditions may include an amount of restitution to the state for the cost of that offender's incarceration.

[9.] **10.** Nothing contained in this section shall be construed to require the release of an offender on parole nor to reduce the sentence of an offender heretofore committed.

[10.] **11.** Beginning January 1, 2001, the board shall not order a parole unless the offender has obtained a high school diploma or its equivalent, or unless the board is satisfied that the offender, while committed to the custody of the department, has made an honest good-faith effort to obtain a high school diploma or its equivalent; provided that the director may waive this requirement by certifying in writing to the board that the offender has actively participated in mandatory education programs or is academically unable to obtain a high school diploma or its equivalent.

12. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Moore, **House Amendment No. 1** was adopted.

On motion of Representative Moore, **HB 700, as amended**, was ordered perfected and printed.

HB 375, relating to a bridge designation, was taken up by Representative Nance.

On motion of Representative Nance, **HB 375** was ordered perfected and printed.

Speaker Pro Tem Bearden resumed the Chair.

BILL IN CONFERENCE

CCR SCS HCS HB 14, as amended, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **CCR SCS HCS HB 14, as amended**, was adopted by the following vote:

AYES: 141

Aull	Avery	Baker 123	Baker 25	Barnitz
Bean	Bearden	Behnen	Bivins	Black
Bland	Bowman	Bringer	Brown 30	Brown 50
Bruns	Burnett	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Hobbs	Hoskins
Hubbard	Hunter	Icet	Jackson	Johnson 47
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walsh	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 003

Byrd Vogt Whorton

PRESENT: 006

Brooks Henke Johnson 61 Kuessner Meadows
Oxford

ABSENT WITH LEAVE: 012

Boykins Donnelly Hughes Johnson 90 Marsh
Pollock Roorda Skaggs Stevenson Swinger
Walton Yaeger

VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 14** was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 123	Barnitz	Bean
Bearden	Behnen	Bivins	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Harris 23	Haywood	Hobbs	Hoskins	Hubbard
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parson	Pearce	Phillips	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	

NOES: 003

Byrd Vogt Whorton

PRESENT: 004

Henke Kuessner Meadows Oxford

ABSENT WITH LEAVE: 016

Baker 25 Black Boykins Donnelly Hughes
Johnson 90 Marsh Parker Pollock Roorda
Skaggs Stevenson Swinger Walton Yaeger
Mr Speaker

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 519, relating to unemployment insurance, was taken up by Representative Roark.

Representative Roark offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 519, Page 15, Section 288.110, Line 86, by inserting after all of said line the following:

"288.120. 1. On each June thirtieth, or within a reasonable time thereafter as may be fixed by regulation, the balance of an employer's experience rating account, except an employer participating in a shared work plan under section 288.500, shall determine his contribution rate for the following calendar year as determined by the following table:

Percentage the Employer's Experience Rating
Account is to that Employer's Average Annual Payroll

Equals or Exceeds	Less Than	Contribution Rate
-----	-12.0	6.0%
-12.0	-11.0	5.8%
-11.0	-10.0	5.6%
-10.0	-9.0	5.4%
-9.0	-8.0	5.2%
-8.0	-7.0	5.0%
-7.0	-6.0	4.8%
-6.0	-5.0	4.6%
-5.0	-4.0	4.4%
-4.0	-3.0	4.2%
-3.0	-2.0	4.0%
-2.0	-1.0	3.8%
-1.0	0	3.6%
0	2.5	2.7%
2.5	3.5	2.6%
3.5	4.5	2.5%
4.5	5.0	2.4%
5.0	5.5	2.3%
5.5	6.0	2.2%
6.0	6.5	2.1%
6.5	7.0	2.0%
7.0	7.5	1.9%

7.5	8.0	1.8%
8.0	8.5	1.7%
8.5	9.0	1.6%
9.0	9.5	1.5%
9.5	10.0	1.4%
10.0	10.5	1.3%
10.5	11.0	1.2%
11.0	11.5	1.1%
11.5	12.0	1.0%
12.0	12.5	0.9%
12.5	13.0	0.8%
13.0	13.5	0.6%
13.5	14.0	0.4%
14.0	14.5	0.3%
14.5	15.0	0.2%
15.0	----	0.0%

2. Using the same mathematical principles used in constructing the table provided in subsection 1 of this section, the following table has been constructed. The contribution rate for the following calendar year of any employer participating in a shared work plan under section 288.500 during the current calendar year or any calendar year during a prior three-year period shall be determined from the balance in such employer's experience rating account as of the previous June thirtieth, or within a reasonable time thereafter as may be fixed by regulation, from the following table:

Percentage the Employer's Experience Rating
Account is to that Employer's Average Annual Payroll

Equals or Exceeds	Less Than	Contribution Rate
-----	-27.0	9.0%
-27.0	-26.0	8.8%
-26.0	-25.0	8.6%
-25.0	-24.0	8.4%
-24.0	-23.0	8.2%
-23.0	-22.0	8.0%
-22.0	-21.0	7.8%
-21.0	-20.0	7.6%
-20.0	-19.0	7.4%
-19.0	-18.0	7.2%
-18.0	-17.0	7.0%
-17.0	-16.0	6.8%
-16.0	-15.0	6.6%
-15.0	-14.0	6.4%
-14.0	-13.0	6.2%
-13.0	-12.0	6.0%
-12.0	-11.0	5.8%
-11.0	-10.0	5.6%
-10.0	-9.0	5.4%
-9.0	-8.0	5.2%
-8.0	-7.0	5.0%
-7.0	-6.0	4.8%
-6.0	-5.0	4.6%
-5.0	-4.0	4.4%
-4.0	-3.0	4.2%
-3.0	-2.0	4.0%
-2.0	-1.0	3.8%
-1.0	0	3.6%
0	2.5	2.7%
2.5	3.5	2.6%
3.5	4.5	2.5%

4.5	5.0	2.4%
5.0	5.5	2.3%
5.5	6.0	2.2%
6.0	6.5	2.1%
6.5	7.0	2.0%
7.0	7.5	1.9%
7.5	8.0	1.8%
8.0	8.5	1.7%
8.5	9.0	1.6%
9.0	9.5	1.5%
9.5	10.0	1.4%
10.0	10.5	1.3%
10.5	11.0	1.2%
11.0	11.5	1.1%
11.5	12.0	1.0%
12.0	12.5	0.9%
12.5	13.0	0.8%
13.0	13.5	0.6%
13.5	14.0	0.4%
14.0	14.5	0.3%
14.5	15.0	0.2%
15.0	----	0.0%

3. Notwithstanding the provisions of subsection 2 of section 288.090, any employer participating in a shared work plan under section 288.500 who has not had at least twelve calendar months immediately preceding the calculation date throughout which his account could have been charged with benefits shall have a contribution rate equal to the highest contribution rate in the table in subsection 2 of this section, until such time as his account has been chargeable with benefits for the period of time sufficient to enable him to qualify for a computed rate on the same basis as other employers participating in shared work plans.

4. Employers who have been taxed at the maximum rate pursuant to this section for two consecutive years shall have a surcharge of one-quarter percent added to their contribution rate calculated pursuant to this section **unless the balance in the trust fund is greater than or equal to four hundred fifty million dollars, then, no such surcharge shall be added.** In the event that an employer remains at the maximum rate pursuant to this section for a third or subsequent year, an additional surcharge of one-quarter percent shall be annually assessed **and if the balance in the trust fund remains less than or equal to four hundred fifty million dollars, then, an additional surcharge of one-quarter percent shall be assessed,** but in no case shall this surcharge cumulatively exceed **one-half** of one percent. [Additionally, if an employer continues to remain at the maximum rate pursuant to this section an additional surcharge of one-half percent shall be assessed.] In no case shall the total surcharge assessed to any employer exceed [one and] one-half percent in any given year."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Roark, **House Amendment No. 1** was adopted.

Representative Hunter offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 519, Section 288.128, Page 18, Line 67, by deleting the word "for" and in lieu thereof the word "of"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hunter, **House Amendment No. 2** was adopted.

HCS HB 519, as amended, was laid over.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 68 - Ways and Means
SCS SB 170 - Conservation and Natural Resources
SB 192 - Conservation and Natural Resources
SB 216 - Judiciary
SCS SB 227 - Transportation
SCS SB 289 - Judiciary
SCS SB 310 - Ways and Means
SB 318 - Financial Institutions
SB 320 - Judiciary
SB 323 - Health Care Policy
SB 347 - Professional Registration and Licensing
SCS SB 354 - Transportation
SCS SB 355 - Agriculture
SB 357 - Retirement
SB 358 - Tourism
SB 361 - Local Government
SCS SB 372 - Transportation
SCS SB 374 - Transportation
SB 378 - Transportation
SB 380 - Special Committee on Urban Issues
SCS SB 390 - Transportation
SCS SB 392 - Corrections and Public Institutions
SB 394 - Financial Institutions
SB 396 - Ways and Means
SB 401 - Retirement
SB 404 - Judiciary
SB 405 - Judiciary
SCS SB 407 - Judiciary
SB 418 - Crime Prevention and Public Safety
SCS SBs 420 & 344 - Judiciary
SB 431 - Local Government
SCS SB 450 - Corrections and Public Institutions
SB 453 - Local Government
SB 464 - Corrections and Public Institutions
SB 479 - Elections
SB 480 - Elementary and Secondary Education
SB 488 - Transportation
SB 490 - Local Government
SCS SB 496 - Corrections and Public Institutions
SCS SB 502 - Corrections and Public Institutions

SB 507 - Local Government
SB 516 - Job Creation and Economic Development
SB 518 - Health Care Policy
SB 521 - Special Committee on General Laws
SB 526 - Higher Education
SB 534 - Judiciary

COMMITTEE REPORTS

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SCS SB 69**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SCS SB 270**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 14**, as **amended**, and has taken up and passed **CCS SCS HCS HB 14**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 168**, entitled:

An act to amend chapters 213 and 431, RSMo, by adding thereto eight new sections relating to resolution of disputes concerning alleged defective residential construction, with an effective date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 462**, entitled:

An act to repeal section 393.145, RSMo, and to enact in lieu thereof two new sections relating to certain sewer and water corporations.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Marsh.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 2:00 p.m., Wednesday, April 6, 2005.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Forty-fifth Day, Thursday, March 31, 2005, Page 816, Line 21, by inserting immediately after said line the following:

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 1 - Budget
HB 2 - Budget
HB 3 - Budget
HB 4 - Budget
HB 5 - Budget
HB 6 - Budget
HB 7 - Budget
HB 8 - Budget
HB 9 - Budget
HB 10 - Budget
HB 11 - Budget
HB 12 - Budget
HB 13 - Budget

COMMITTEE MEETINGS

BUDGET

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 2:00 p.m. AMENDED

Public hearing to be held on: HJR 12

BUDGET

Wednesday, April 6, 2005, 6:00 p.m. Hearing Room 3.

Markup. House Bills 1 through 13.

Executive session may follow.

Committee will adjourn at 10:00 p.m.

BUDGET

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 3.
Committee will adjourn at 10:00 a.m. House Bills 1 through 13.
Executive session may follow.

BUDGET

Thursday, April 7, 2005, 2:00 p.m. Hearing Room 3.
Markup. House Bills 1 through 13.
Executive session may follow.

CHILDREN AND FAMILIES

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 7.
Executive session may follow. AMENDED
Public hearings to be held on: HB 452, HB 536, SB 21, SCS SB 501

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 6, 2005, Hearing Room 1 upon evening adjournment.
Executive session may follow.
Public hearings to be held on: HB 824, HB 549, HB 698, HB 706, SS SJR 1

CONSERVATION AND NATURAL RESOURCES

Thursday, April 7, 2005, Hearing Room 1 upon afternoon adjournment.
Executive session.

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: SB 174, SB 288, SB 364, SCS SB 450, SCS SB 502

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 6, 2005, 9:15 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: SCS SBs 103 & 115, SCS SB 161,
SCS SB 266, SB 298, SB 299, SCS SB 302, SB 306

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HB 831, HB 842, HB 514, HB 329

HEALTH CARE POLICY

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow.
Public hearing to be held on: HB 636

HEALTH CARE POLICY

Thursday, April 7, 2005, 8:30 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 802, HB 805, HB 835, SB 323, SB 518

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, April 6, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 854, HB 863, SCS SB 70, SB 156, SB 99

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Thursday, April 7, 2005, 8:30 a.m. House Lounge.

Vote to approve the 12-7-04 report of the Joint Committee on
Terrorism, Bioterrorism and Homeland Security.

JUDICIARY

Thursday, April 7, 2005, Hearing Room 7 upon morning adjournment.

Executive session.

Hearing will begin thirty minutes upon adjournment.

LOCAL GOVERNMENT

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: SCS SB 138, SS SCS SB 210,
SCS SB 262, SB 268, SCS SB 57, SB 242, SB 307

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 6, 2005, 12:00 p.m. Hearing Room 1. AMENDED

Public hearings to be held on: HB 554, HB 855, SCS SB 28, SB 177, SB 178

Executive session may be held on: HB 61, HB 652, HB 662,
HB 665, HB 702, HB 803, HB 855

RETIREMENT

Wednesday, April 6, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 804, HB 327, HB 721, SB 317

RULES

Wednesday, April 6, 2005, 1:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: HB 412, HCS HB 66, HB 679,
HCS HB 640, HB 116, HCS HB 586, SS SCS SB 179

RULES

Wednesday, April 6, 2005, House Chamber side gallery upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: SCS SB 69, HCS SCS SB 270

SENIOR CITIZEN ADVOCACY

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 816, HB 827, HB 859

SMALL BUSINESS

Wednesday, April 6, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: SB 141, SB 173, SB 211

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, April 6, 2005, Hearing Room 4 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 880, SCS SB 246

TRANSPORTATION

Wednesday, April 6, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 612, HB 777, HB 760, HB 632,
HB 223, HB 147, SB 38, SB 209, SCS SB 233

UTILITIES

Wednesday, April 6, 2005, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: SS SCS SB 237

WAYS AND MEANS

Wednesday, April 6, 2005, Hearing Room 5 upon evening adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 912, HB 779, SCS SB 267, SCS SB 238,
SB 189, SCS SB 222, SCS SB 68, SCS SB 310, SB 396

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 6, 2005, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 828, HB 881

HOUSE CALENDAR

FORTY-NINTH DAY, WEDNESDAY, APRIL 6, 2005

HOUSE BILLS FOR PERFECTION

- 1 HB 344 - Baker (123)
- 2 HB 376 - Guest
- 3 HCS HB 576 - Flook
- 4 HCS HB 286 - Bland
- 5 HCS HB 519, as amended - Roark (3 hours debate on Perfection)
- 6 HB 539 - Icet
- 7 HCS HB 474 - Yates
- 8 HCS HB 628 - Byrd
- 9 HCS HB 639 - Cunningham (86)
- 10 HB 410 - Flook
- 11 HCS HB 532 - Spreng
- 12 HCS HB 255 - Cunningham (86)
- 13 HCS HB 387 - Byrd
- 14 HCS HB 525 - May
- 15 HB 530 - Moore
- 16 HCS HB 353 - Lipke (2 hours debate on Perfection)
- 17 HB 205 - Salva
- 18 HCS HB 49 & 50 - Jolly
- 19 HCS HB 209 - Cooper (120)
- 20 HCS HB 461 - Sutherland
- 21 HCS HB 36 - Davis
- 22 HCS HB 400 - Yates
- 23 HB 320 - Muschany
- 24 HB 417 - Yates
- 25 HCS HB 440 - Pratt
- 26 HCS HB 649 - Fares

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 276 - Cunningham (86)

HOUSE JOINT RESOLUTION FOR THIRD READING

HCS HJR 16 - Chinn

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 394 - Byrd
- 2 HCS HB 388 - Yates
- 3 HCS HB 64, E.C. - Sutherland

- 4 HCS HB 518, 288, 418 & 635 - St. Onge
- 5 HB 700 - Moore
- 6 HB 375 - Nance

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HB 738, E.C. - Behnen

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 168
- 2 SS SCS SB 462

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SBs 202, 33, 45, 183 & 217, E.C. - Smith (118)
- 2 SS SB 539 - Stefanick (7 hours debate on Third Reading)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11, (2-17-05, Pages 351-352) - Sander
- 2 HCR 4, (3-02-05, Pages 467-468) - Burnett
- 3 HCR 9, (2-17-05, Page 351) - Bivins
- 4 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 5 HCR 20, (3-09-05, Page 553) - Rupp
- 6 HCS HCR 24, (3-30-05, Pages 777-778) - Bowman

HOUSE RESOLUTION

HR 1117, (3-10-05, Page 587) - Wright (137)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FORTY-NINTH DAY, WEDNESDAY, APRIL 6, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You have declared to us in Your Word “those who seek Your help have all the good things they need.”

So we seek Your help and receive wisdom for the tasks at hand.
We seek Your help and receive protection from harm.
We seek Your help and receive peace for our soul when in fear.
We seek Your help and receive strength of conviction when falsely accused.

Let not the footstep of pride overtake us as we seek to do good and finish our course.

May we persevere and hold up against stress and weariness brought on by long hours and continual pressures.

Now unto You be glory, majesty, dominion and authority, before all time, now and forever.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bayley A. Flint, Staci Sims, Kim Tohl, David Hegger, Kyle Donley, Everett Mertens, Heather Mertens, Emmy Mertens, Alex Clark, Jessica Barkas, Rachele Crider, Lauren Haer, Jill Haer, Khristyne Stiens, Amber Lewis, Kyle Parrish, Rachel McEnaney, Andie Jo Cassity, Rachel Ann Earley, Stephan Robert Franke, Whitney Danielle Hoyt, Parker Leatherman, Whitney Rose Rinehart, Steven John Taylor, Danee Douglas, David Martin, Ian Kreher, Baillie James, Michael Barry, Meg Endicott, Tim Fagan, Madison Polk, Seth McGinnis, Mallory Wiskur, Jimmy Blundell, Emilee Thompson, Heidi Clark, Courtney Robinson, Cody Korson, Zach Urhahn, Kevin Walterbach, Lara Kerwin, Chris Roth and Felicia Ramirez.

The Journal of the forty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1864	-	Representative Donnelly
House Resolution No. 1865		
and		
House Resolution No. 1866	-	Representative Donnelly, et al.
House Resolution No. 1867	-	Representative Wilson (119)
House Resolution No. 1868	-	Representative Bearden
House Resolution No. 1869		
and		
House Resolution No. 1870	-	Representative Cunningham (145)
House Resolution No. 1871		
through		
House Resolution No. 1884	-	Representatives Dempsey and Faith
House Resolution No. 1885		
through		
House Resolution No. 1898	-	Representative Sander
House Resolution No. 1899		
and		
House Resolution No. 1900	-	Representative George
House Resolution No. 1901	-	Representative Denison
House Resolution No. 1902		
and		
House Resolution No. 1903	-	Representative Whorton
House Resolution No. 1904		
and		
House Resolution No. 1905	-	Representative Johnson (61)
House Resolution No. 1906	-	Representative Donnelly
House Resolution No. 1907	-	Representative Avery
House Resolution No. 1908	-	Representative Lembke, et al.
House Resolution No. 1909	-	Representative Sander
House Resolution No. 1910		
and		
House Resolution No. 1911	-	Representative Wilson (119)
House Resolution No. 1912	-	Representative Salva
House Resolution No. 1913		
through		
House Resolution No. 1916	-	Representative Wilson (130)
House Resolution No. 1917		
through		
House Resolution No. 1919	-	Representative Witte
House Resolution No. 1920		
through		
House Resolution No. 1929	-	Representative Day
House Resolution No. 1930		
through		
House Resolution No. 1934	-	Representative Cooper (158)

House Resolution No. 1935
 and
 House Resolution No. 1936 - Representative Kraus
 House Resolution No. 1937 - Representative Lager
 House Resolution No. 1938
 through
 House Resolution No. 1942 - Representative Dougherty
 House Resolution No. 1943
 through
 House Resolution No. 1953 - Representative Schad
 House Resolution No. 1954 - Representative Roorda

SECOND READING OF SENATE BILLS

SS SCS SB 168 and **SS SCS SB 462** were read the second time.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HB 738, relating to real estate appraisers, was taken up by Representative Behnen.

On motion of Representative Behnen, **HB 738** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chappelle-Nadal
Casey	Chinn	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Franz	Fraser	George	Goodman
Guest	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Pratt	Quinn
Rector	Richard	Roark	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Self
Shoemyer	Skaggs	Smith 118	Smith 14	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger

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Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bean	Cooper 120	Flook	Haywood	Marsh
Portwood	Robb	Salva	Schneider	Selby
Spreng	Stevenson	Swinger	Viebrock	Wagner

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Bowman	Marsh	Myers	Salva
Schneider	Stevenson	Swinger	Wagner	Wallace

VACANCIES: 001

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 16, relating to a parks and soils tax, was taken up by Representative Chinn.

On motion of Representative Chinn, **HCS HJR 16** was read the third time and passed by the following vote:

AYES: 130

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brown 50	Bruns	Byrd
Chappelle-Nadal	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Harris 110	Harris 23	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Oxford	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Roark	Robb	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Selby
Self	Shoemyer	Smith 118	Smith 14	Spreng
Stefanick	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Zweifel	Mr Speaker

NOES: 017

Bowman	Brooks	Brown 30	Burnett	Davis
Haywood	Johnson 61	Johnson 90	Page	Pratt
Robinson	Rucker	Schoemehl	Skaggs	Wildberger
Yates	Young			

PRESENT: 003

Casey	Meadows	Roorda
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ABSENT WITH LEAVE: 012

Bean	Guest	Lampe	Marsh	Myers
Ruestman	Salva	Schneider	Stevenson	Swinger
Wallace	Walton			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 394, relating to medical malpractice insurance, was taken up by Representative Byrd.

On motion of Representative Byrd, **HCS HB 394** was read the third time and passed by the following vote:

AYES: 141

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Byrd	Chappelle-Nadal	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 118	Smith 14
Spreng	Stefanick	St. Onge	Storch	Sutherland
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Yates	Young	Zweifel
Mr Speaker				

NOES: 011

Baker 25	Brooks	Burnett	Harris 23	Johnson 61
Johnson 90	Oxford	Roorda	Vogt	Walton
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Low 39	Marsh	Myers	Salva
Schlottach	Stevenson	Swinger	Wagner	Wright-Jones

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Cooper (120) assumed the Chair.

HCS HB 388, relating to insurance compliance audits, was taken up by Representative Yates.

On motion of Representative Yates, **HCS HB 388** was read the third time and passed by the following vote:

AYES: 133

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Brown 30	Brown 50	Bruns
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Harris 110	Harris 23	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 023

Bringer	Brooks	Burnett	Chappelle-Nadal	Daus
El-Amin	Fraser	George	Haywood	Henke
Hughes	Johnson 90	Jolly	Low 39	Lowe 44
Selby	Skaggs	Vogt	Walsh	Walton
Witte	Wright-Jones	Young		

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Marsh	Myers	Salva	Stevenson
Swinger				

VACANCIES: 001

Representative Cooper (120) declared the bill passed.

HCS HB 64, relating to a sales and use tax holiday, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HB 64** was read the third time and passed by the following vote:

AYES: 130

Avery	Baker 123	Baker 25	Barnitz	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fisher	Flook	Fraser
George	Goodman	Harris 23	Haywood	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Schaaf	Schlottach	Schoemehl	Selby
Self	Shoemyer	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Vogt	Wagner	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright-Jones	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 024

Aull	Bowman	Casey	Corcoran	Daus
Dethrow	Donnelly	Franz	Guest	Harris 110
Henke	Hughes	Johnson 47	Kuessner	Myers
Sater	Schad	Schneider	Skaggs	Smith 118
Villa	Wallace	Whorton	Yaeger	

PRESENT: 002

Cunningham 86 Fares

ABSENT WITH LEAVE: 006

Bean	Hobbs	Marsh	Salva	Stevenson
Swinger				

VACANCIES: 001

Representative Cooper (120) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Black	Bland	Boykins	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Curls	Davis	Day
Deeken	Dempsey	Denison	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Fraser	George	Goodman
Harris 23	Haywood	Henke	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Lager	Lampe	Lembke	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schlottach	Schoemehl	Selby	Self	Shoemyer
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Vogt	Wagner	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yates	Young	Zweifel	Mr Speaker	

NOES: 022

Aull	Baker 25	Bowman	Casey	Daus
Dethrow	Donnelly	Franz	Guest	Harris 110
Hughes	Johnson 47	Kuessner	LeVota	Oxford

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Schad	Schneider	Skaggs	Villa	Wallace
Whorton	Yaeger			

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 010

Bean	Brooks	Darrough	El-Amin	Hobbs
Liese	Marsh	Salva	Stevenson	Swinger

VACANCIES: 001

HB 700, relating to the Department of Corrections, was taken up by Representative Moore.

On motion of Representative Moore, **HB 700** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Chappelle-Nadal	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Smith 14	Spreng	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 002

Dougherty El-Amin

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean Byrd Hobbs Marsh Stevenson
Swinger

VACANCIES: 001

Representative Cooper (120) declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

HCS HBs 518, 288, 418 & 635, relating to highway safety, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HCS HBs 518, 288, 418 & 635** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 123	Baker 25	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 118	Smith 14	Spreng	Stefanick	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Davis

ABSENT WITH LEAVE: 008

Bean	Bowman	Brooks	Hobbs	Lembke
Marsh	Stevenson	Swinger		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HOUSE CONCURRENT RESOLUTIONS

HCR 11, relating to the firearms industry, was taken up by Representative Sander.

On motion of Representative Sander, **HCR 11** was adopted.

HCR 4, relating to the Vietnamese-American flag, was taken up by Representative Burnett.

Representative Burnett moved that **HCR 4** be adopted.

Which motion was defeated.

THIRD READING OF SENATE BILLS

HCS SCS SBs 202, 33, 45, 183 & 217, relating to administrative law judges' retirement, was taken up by Representative Smith (118).

On motion of Representative Smith (118), **HCS SCS SBs 202, 33, 45, 183 & 217** was adopted.

On motion of Representative Smith (118), **HCS SCS SBs 202, 33, 45, 183 & 217** was read the third time and passed by the following vote:

AYES: 136

Aull	Avery	Baker 123	Baker 25	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brown 30	Brown 50	Bruns	Chappelle-Nadal
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares

Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Henke
Hubbard	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Liese	Lipke	Loehner	Low 39
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Smith 118	Smith 14
Stefanick	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Wright 137	Wright 159	Yaeger	Yates	Zweifel
Mr Speaker				

NOES: 015

Barnitz	Burnett	Corcoran	George	Hughes
Lowe 44	Meiners	Rucker	Salva	Skaggs
Spreng	Vogt	Walsh	Wildberger	Young

PRESENT: 002

Byrd Johnson 90

ABSENT WITH LEAVE: 009

Bean	Bowman	Brooks	Hobbs	Hoskins
Lembke	Marsh	Stevenson	Swinger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Black	Bland	Bringer	Brown 30
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Harris 23	Haywood	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Liese
Lipke	Loehner	May	McGhee	Moore

Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Smith 118	Smith 14	Stefanick	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Wright 137	Wright 159
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 012

Burnett	Corcoran	Hughes	LeVota	Low 39
Lowe 44	Meiners	Rucker	Salva	Skaggs
Vogt	Young			

PRESENT: 016

Aull	Baker 25	Boykins	Chappelle-Nadal	Casey
Curls	George	Henke	Johnson 61	Johnson 90
Meadows	Oxford	Page	Roorda	Spreng
Walsh				

ABSENT WITH LEAVE: 010

Bean	Bowman	Brooks	Brown 50	Hobbs
Lembke	Marsh	Stevenson	Swinger	Wildberger

VACANCIES: 001

SS SB 539, relating to health care and social services, was taken up by Representative Stefanick.

Representative Shoemyer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 539, Pages 46 and 47, Section 660.661, Lines 1 to 44, by deleting all of said lines; and

Further amend said bill, Pages 47 and 48, Section 660.664, Lines 1 to 33, by deleting all of said lines; and

Further amend said bill, Pages 48 to 50, Section 660.667, Lines 1 to 48, by deleting all of said lines; and

Further amend said bill, Pages 50 and 51, Section 660.670, Lines 1 to 37, by deleting all of said lines; and

Further amend said bill, Pages 51 to 53, Section 660.673, Lines 1 to 91, by deleting all of said lines; and

Further amend said bill, Pages 53 to 55, Section 660.676, Lines 1 to 57, by deleting all of said lines; and

Further amend said bill, Pages 55 and 56, Section 660.679, Lines 1 to 33, by deleting all of said lines; and

Further amend said bill, Page 56, Section 660.681, Lines 1 to 14, by deleting all of said lines; and

Further amend said bill, Pages 56 and 57, Section 660.584, Lines 1 to 19, by deleting all of said lines; and

Further amend said bill, Page 57, Section 660.687, Lines 1 to 11, by deleting all of said lines; and

Further amend said bill, Pages 57 and 58, Section 178.661, Lines 1 to 49, by deleting all of said lines; and

Further amend said bill, Pages 59 and 60, Section 178.662, Lines 1 to 38, by deleting all of said lines; and

Further amend said bill, Pages 60 and 61, Section 178.664, Lines 1 to 13, by deleting all of said lines; and

Further amend said bill, Page 61, Section 178.669, Lines 1 to 16, by deleting all of said lines; and

Further amend said bill, Pages 61 and 62, Section 178.671, Lines 1 to 14, by deleting all of said lines; and

Further amend said bill, Page 62, Section 178.673, Lines 1 to 5, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Shoemyer moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Pearce	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 092

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Self	Smith 118	Smith 14
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley

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Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Marsh	Parker	Schneider	Stevenson	Swinger
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VACANCIES: 001

Representative Donnelly offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Substitute for Senate Bill No. 539, Page 45, Section 453.072, Lines 1 to 7, by deleting all of said lines; and

Further amend said bill, Pages 45 and 46, Section 453.073, Lines 1 to 37, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Jetton assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Donnelly moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Chinn	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Dusenberg
El-Amin	Faith	Fraser	George	Harris 110
Harris 23	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 47	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Nance	Oxford	Page	Pratt	Robinson
Roorda	Rucker	Salva	Schneider	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Young	Zweifel		

NOES: 083

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison

Dethrow	Dixon	Emery	Ervin	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Jones	Kelly
Kingery	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Roark	Robb	Ruestman	Sander
Sater	Schaaf	Schad	Schlottach	Self
Smith 118	Smith 14	Stefanick	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Mr Speaker		

PRESENT: 001

Fares

ABSENT WITH LEAVE: 005

Marsh	Parker	Rupp	Stevenson	Swinger
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VACANCIES: 001

Representative Storch offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Substitute for Senate Bill No. 539, Page 8, Section 208.014, Line 30, by deleting the phrase "**which shall sunset on June 30, 2008**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Storch moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Aull	Baker 25	Barnitz	Bivins	Black
Bland	Bowman	Boykins	Bringer	Brown 50
Burnett	Byrd	Chappelle-Nadal	Casey	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 47	Johnson 61	Johnson 90	Jolly	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Parker	Robinson	Roorda	Rucker
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Wright 137	Yaeger	Young	Zweifel	

NOES: 087

Avery	Baker 123	Bean	Bearden	Behnen
Brown 30	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Jones
Kelly	Kingery	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 118	Smith 14	Stefanick	St. Onge	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brooks	Marsh	Salva	Stevenson	Sutherland
Swinger				

VACANCIES: 001

Representative Fraser offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Substitute for Senate Bill No. 539, Pages 35 and 36, Section 208.640, Lines 1 to 23, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Fraser moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Chinn	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Faith	Fraser	George	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Nance	Nolte
Oxford	Page	Parker	Robinson	Roorda
Rucker	Salva	Schneider	Schoemehl	Selby

Shoemyer	Skaggs	Spreng	Storch	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 087

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Lager	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nieves	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Self	Smith 118	Smith 14
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 004

Fares	Marsh	Stevenson	Swinger
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VACANCIES: 001

Representative El-Amin offered **House Amendment No. 5.**

House Amendment No. 5

AMEND Senate Substitute for Senate Bill No. 539, Page 1, Section A, Line 8, by inserting after all of said line the following:

"135.327. 1. Any person residing in this state who legally adopts a special needs child on or after January 1, 1988, and before January 1, 2000, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied to taxes due under chapter 143, RSMo. Any business entity providing funds to an employee to enable that employee to legally adopt a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied to taxes due under such business entity's state tax liability, except that only one ten thousand dollar credit is available for each special needs child that is adopted.

2. Any person residing in this state who proceeds in good faith with the adoption of a special needs child on or after January 1, 2000, **and before January 1, 2006**, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child that may be applied to taxes due under chapter 143, RSMo; provided, however, that beginning on or after July 1, 2004, a minimum of fifty percent of the tax credits allowed shall be allocated for the adoption of special needs children who are residents or wards of residents of this state at the time the adoption is initiated. Any business entity providing funds to an employee to enable that employee to proceed in good faith with the adoption of a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child that may be applied to taxes due under such business entity's state tax liability, except that only one ten thousand dollar credit is available for each special needs child that is adopted.

3. Any person residing in this state who legally adopts a special needs child on or after January 1, 2006, shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child adopted that may be applied to taxes due under chapter 143, RSMo; provided, however, that beginning on or after July 1, 2006, a minimum of fifty percent of the tax credits allowed shall be allocated for the adoption of special needs children who are residents or wards of residents of this state at the time the adoption is initiated. No tax credits under this section shall be allocated for adoption of special needs children from outside the United States. Any business entity providing funds to an employee to enable that employee to proceed in good faith with the adoption of a special needs child shall be eligible to receive a tax credit of up to ten thousand dollars for nonrecurring adoption expenses for each child that may be applied to taxes due under such business entity's state tax liability, except that only one ten thousand dollar credit is available for each special needs child that is adopted.

4. Individuals and business entities may claim a tax credit for their total nonrecurring adoption expenses in each year that the expenses are incurred. A claim for fifty percent of the credit shall be allowed when the child is placed in the home. A claim for the remaining fifty percent shall be allowed when the adoption is final. The total of these tax credits shall not exceed the maximum limit of ten thousand dollars per child. The cumulative amount of tax credits which may be claimed by taxpayers claiming the credit for nonrecurring adoption expenses in any one fiscal year prior to July 1, 2004, shall not exceed two million dollars and shall not exceed four million dollars in any one fiscal year beginning on or after July 1, 2004; provided, however, that in the first ninety days following each July first, if less than two million dollars in credits have been issued for adoption of special needs children **in the United States** who are not residents or wards of residents of this state at the time the adoption is initiated, the remaining amount of the four million dollar cap shall be available for the adoption of special needs children who are residents or wards of residents of this state at the time the adoption is initiated.

[4.] 5. Notwithstanding any provision of law to the contrary, any individual or business entity may assign, transfer or sell tax credits allowed in this section. Any sale of tax credits claimed pursuant to this section shall be at a discount rate of seventy-five percent or greater of the amount sold.

[5.] 6. The director of revenue shall establish a procedure by which, for each fiscal year, the cumulative amount of tax credits authorized in this section is equally apportioned among all taxpayers within the two categories specified in [subsection 2] **subsections 2 and 3** of this section claiming the credit in that fiscal year. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers within each category can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

[6.] 7. The director of revenue shall submit to the general assembly, by January 1, 2005, and each succeeding year, information by income levels of those individual taxpayers who have qualified and claimed the credit authorized in this section, regardless of whether those taxpayers have assigned, transferred, or sold such credits. The information shall indicate the number of such taxpayers with federal adjusted gross income in the immediately preceding tax year of less than one hundred fifty thousand dollars, of one hundred fifty thousand dollars to and including one hundred ninety thousand dollars, and of more than one hundred ninety thousand dollars."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative El-Amin moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Aull	Baker 25	Barnitz	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Bruns	Burnett	Byrd	Chappelle-Nadal	Casey
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Guest
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Myers	Nance	Nolte	Oxford

Page	Parker	Robinson	Roorda	Rucker
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Viebrock	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 083

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Brown 30	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Hobbs	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Lager	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nieves
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 118	Smith 14	Stefanick	St. Onge	Sutherland
Threlkeld	Tilley	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Chinn	Marsh	Stevenson	Swinger
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VACANCIES: 001

Representative Barnitz offered **House Amendment No. 6.**

House Amendment No. 6

AMEND Senate Substitute for Senate Bill No. 539, Pages 62 to 64, Section 208.146, Lines 1 to 91, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Barnitz moved that **House Amendment No. 6** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Aull	Baker 25	Barnitz	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	Dusenberg	El-Amin	Faith	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 47	Johnson 61

Johnson 90	Jolly	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nance	Oxford	Page
Parker	Robinson	Roorda	Rucker	Salva
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 085

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Brown 30	Bruns	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Jones	Kelly	Kingery
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nieves	Nolte	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Self	Smith 118	Smith 14	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Marsh	Stevenson	Swinger
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VACANCIES: 001

Representative Schoemehl offered **House Amendment No. 7.**

House Amendment No. 7

AMEND Senate Substitute for Senate Bill No. 539, Page 17, Section 208.151, Line 302, by inserting after the word "**eligibility.**" the following:

"The provisions of this subsection shall not apply to any pregnant woman made eligible for medical assistance benefits under subsection 1 of this section in any fiscal year if in the immediately preceding calendar year the department of health and senior services reported an increase of at least ten percent in the number of abortions performed in this state."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bringer offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to Senate Substitute for Senate Bill No. 539, Page 1, Section 208.151, Line 7, by deleting said line and inserting in lieu thereof the following:

“senior services reported an increase of at least one abortion in”.

Representative Bringer moved that **House Amendment No. 1 to House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Bruns
Burnett	Chappelle-Nadal	Casey	Chinn	Corcoran
Curls	Darrough	Daus	Deeken	Donnelly
Dougherty	El-Amin	Faith	Fraser	George
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Nance	Nolte	Oxford	Page	Robinson
Roorda	Rucker	Salva	Sander	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 084

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Icet	Jackson	Johnson 47	Jones
Kelly	Kingery	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Myers	Nieves	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sater	Schaaf	Schad	Schlottach
Self	Smith 118	Smith 14	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Marsh	Muschany	Schneider	Stevenson	Swinger
Wells				

VACANCIES: 001

Representative Schoemehl moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Bruns
Burnett	Chappelle-Nadal	Casey	Chinn	Corcoran
Curls	Darrough	Daus	Deeken	Donnelly
Dougherty	El-Amin	Faith	Fraser	George
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Nance	Nolte	Oxford	Page	Robinson
Roorda	Rucker	Salva	Sander	Schneider
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Wagner	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 084

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Myers	Nieves	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sater	Schaaf	Schad	Schlottach
Self	Smith 118	Smith 14	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Marsh
Wells

Muschany

Stevenson

Swinger

Walton

VACANCIES: 001

SS SB 539 was laid over.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 813 - Special Committee on Urban Issues

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was returned **HCS HB 568**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SB 21**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SB 501**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 196**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 272**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 489**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 498**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 671**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 863**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 149**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 291**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 66**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 116**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 560**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 691**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 586**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 640**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 679**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 69**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 179**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 270**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 269**, entitled:

An act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to athletes and entertainer tax.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Marsh.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 7, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Michael Brown, District 50, hereby state and affirm that my vote as recorded on the motion to adopt the emergency clause to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 202, 33, 45, 183 & 217 in the House Journal for Wednesday, April 6, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of April 2005.

/s/ Michael Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sara Lampe, District 138, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute for House Joint Resolution No. 16 in the House Journal for Wednesday, April 6, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of April 2005.

/s/ Sara Lampe
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 7, 2005, House Chamber north side gallery upon afternoon adjournment.
Executive session will be held on: HB 666, HB 853

BUDGET

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 3.
Committee will adjourn at 10:00 a.m.
House Bills 1 through 13.
Executive session may follow.

BUDGET

Thursday, April 7, 2005, 2:00 p.m. Hearing Room 3.
Markup. House Bills 1 through 13.
Executive session may follow.

CONSERVATION AND NATURAL RESOURCES

Thursday, April 7, 2005, Hearing Room 1 upon afternoon adjournment.
Executive session.

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: SB 174, SB 288, SB 364,
SCS SB 450, SCS SB 502

ELECTIONS

Thursday, April 7, 2005, 1:30 p.m. House Chamber south side gallery.
Executive session.

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HB 831, HB 842, HB 514, HB 329

HEALTH CARE POLICY

Thursday, April 7, 2005, 8:30 a.m. Hearing Room 5.
Executive session may follow. AMENDED
Public hearings to be held on: HB 802, HB 805, HB 835, SB 323, SB 518

JOB CREATION AND ECONOMIC DEVELOPMENT

Thursday, April 7, 2005, Hearing Room 6 upon afternoon adjournment.
Executive session may follow.
Public hearing to be held on: SB 516

JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Thursday, April 7, 2005, 8:30 a.m. House Lounge.
Vote to approve the 12-7-04 report of the Joint Committee on
Terrorism, Bioterrorism and Homeland Security.

JUDICIARY

Thursday, April 7, 2005, Hearing Room 7 upon morning adjournment.
Executive session.
Hearing will begin thirty minutes upon adjournment.

LOCAL GOVERNMENT

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. AMENDED
Public hearings to be held on: SCS SB 138, SS SCS SB 210,
SCS SB 262, SB 268, SCS SB 57, SB 242, SB 307

SENIOR CITIZEN ADVOCACY

Thursday, April 7, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 816, HB 827, HB 859

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, April 7, 2005, Hearing Room 5 upon afternoon adjournment.

Public hearings to be held on: HB 832, HB 494, SB 380

WAYS AND MEANS

Thursday, April 7, 2005, 9:00 a.m. Hearing Room 2.

Executive session.

HOUSE CALENDAR

FIFTIETH DAY, THURSDAY, APRIL 7, 2005

HOUSE BILLS FOR PERFECTION

- | | | |
|----|--------------------------------|--------------------------------|
| 1 | HB 344 - Baker (123) | |
| 2 | HB 376 - Guest | |
| 3 | HCS HB 576 - Flook | |
| 4 | HCS HB 286 - Bland | |
| 5 | HCS HB 519, as amended - Roark | (3 hours debate on Perfection) |
| 6 | HB 539 - Icet | |
| 7 | HCS HB 474 - Yates | |
| 8 | HCS HB 628 - Byrd | |
| 9 | HCS HB 639 - Cunningham (86) | |
| 10 | HB 410 - Flook | |
| 11 | HCS HB 532 - Spreng | |
| 12 | HCS HB 255 - Cunningham (86) | |
| 13 | HCS HB 387 - Byrd | |
| 14 | HCS HB 525 - May | |
| 15 | HB 530 - Moore | |
| 16 | HCS HB 353 - Lipke | (2 hours debate on Perfection) |
| 17 | HB 205 - Salva | |
| 18 | HCS HB 49 & 50 - Jolly | |
| 19 | HCS HB 209 - Cooper (120) | |
| 20 | HCS HB 461 - Sutherland | |
| 21 | HCS HB 36 - Davis | |
| 22 | HCS HB 400 - Yates | |
| 23 | HB 320 - Muschany | |
| 24 | HB 417 - Yates | |
| 25 | HCS HB 440 - Pratt | |
| 26 | HCS HB 649 - Fares | |

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 276 - Cunningham (86)

HOUSE BILL FOR THIRD READING

HB 375 - Nance

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILL FOR SECOND READING

SS SCS SB 269

SENATE BILL FOR THIRD READING

SS SB 539 - Stefanick (7 hours debate on Third Reading)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 9, (2-17-05, Page 351) - Bivins
- 2 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 3 HCR 20, (3-09-05, Page 553) - Rupp
- 4 HCS HCR 24, (3-30-05, Pages 777-778) - Bowman

HOUSE RESOLUTION

HR 1117, (3-10-05, Page 587) - Wright (137)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTIETH DAY, THURSDAY, APRIL 7, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

Before we begin the work of this daily session, we turn to You, O Lord.

Lord, You have probed me, You know me:
You know when I sit and when I stand;
You understand my thoughts from afar.
(Psalm 139:2)

Aware of Your presence, we continue our work today. May we not be too quick with our judgments, our agenda, our interpretations. When the words of others express Your truth, may we embrace it. May we pause patiently, speak wisely in our turn, and decide aright for Your people.

For this grace, we pray to You, our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jack Passmore, Kevin Ogle, Molly Sly, Emily Price, Nathan Fleming Easley, Allison Louise Powers, Anna Renee Brodersen, Leah Katherine Sauerwein, Lexi Elaine Easter, Aidan August Miget, Audrey Wells, Sean Koster, Alex Kutz, Tim Redfering, Chris Reichert, Jordan Lippert and Elizabeth Bone.

The Journal of the forty-ninth day was approved as corrected.

SPECIAL RECOGNITION

Coach Tom Kruse and the Raymore-Peculiar High School Panthers Football Team were introduced by Representative Baker (123) and recognized for attaining the 2004 Class 5-A State Championship.

HOUSE RESOLUTION

Representative Jolly offered House Resolution No. 1976.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1955	-	Representative Wagner
House Resolution No. 1956		
through		
House Resolution No. 1959	-	Representative Dethrow
House Resolution No. 1960		
and		
House Resolution No. 1961	-	Representative Dusenber
House Resolution No. 1962	-	Representative Dethrow
House Resolution No. 1963	-	Representative Nance
House Resolution No. 1964	-	Representative Bivins, et al.
House Resolution No. 1965		
and		
House Resolution No. 1966	-	Representative Stevenson
House Resolution No. 1967	-	Representative Viebrock
House Resolution No. 1968	-	Representative Guest
House Resolution No. 1969	-	Representative Wallace
House Resolution No. 1970	-	Representative Wood
House Resolution No. 1971		
and		
House Resolution No. 1972	-	Representative Schaaf
House Resolution No. 1973	-	Representative Guest
House Resolution No. 1974	-	Representative Smith (14)
House Resolution No. 1975	-	Representative Schaaf
House Resolution No. 1977	-	Representative Lager
House Resolution No. 1978		
and		
House Resolution No. 1979	-	Representative Donnelly, et al.
House Resolution No. 1980	-	Representative Brown (30)
House Resolution No. 1981	-	Representative Wasson
House Resolution No. 1982	-	Representative Lampe, et al.
House Resolution No. 1983	-	Representative Donnelly, et al.
House Resolution No. 1984		
and		
House Resolution No. 1985	-	Representative Yaeger
House Resolution No. 1986	-	Representative Wallace
House Resolution No. 1987	-	Representative Kelly

SECOND READING OF SENATE BILL

SS SCS SB 269 was read the second time.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **CCS SCS HCS HB 14** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 14** was delivered to the Governor by the Chief Clerk of the House.

THIRD READING OF SENATE BILL

SS SB 539, relating to health care and social services, was taken up by Representative Stefanick.

Representative Hoskins offered **House Amendment No. 8**.

House Amendment No. 8

AMEND Senate Substitute for Senate Bill No. 539, Pages 14 and 15, Section 208.151, Lines 191 to 226, by deleting all of said lines and inserting in lieu thereof the following:

"[(25)] **(24)** All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits, under the eligibility standards in effect December 31, 1973; except that, on or after July 1, 2002, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to eighty percent of the federal poverty level and, as of July 1, 2003, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to ninety percent of the federal poverty level and, as of July 1, 2004, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to one hundred percent of the federal poverty level. [If federal law or regulation authorizes the division of family services to, by rule, exclude the income or resources of a parent or parents of a person under the age of eighteen and such exclusion of income or resources can be limited to such parent or parents, then notwithstanding the provisions of section 208.010:

(a) The division may by rule exclude such income or resources in determining such person's eligibility for permanent and total disability benefits; and

(b)] Eligibility standards for permanent and total disability benefits shall not be limited by age;" and

Further amend said bill, Page 24, Section 208.152, Lines 229 and 230, by deleting all of said lines and renumber all remaining subdivisions accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Behnen assumed the Chair.

Representative Hoskins moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Chinn	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin

Faith	Fraser	George	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nance	Nolte	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Villa	Vogt	Walsh
Walton	Whorton	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 087

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Lager	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nieves	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Self	Smith 118	Smith 14
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 001

Fares

ABSENT WITH LEAVE: 007

Hubbard	Lembke	Marsh	Stevenson	Swinger
Wagner	Wildberger			

VACANCIES: 001

Representative Page offered **House Amendment No. 9.**

House Amendment No. 9

AMEND Senate Substitute for Senate Bill No. 539, Pages 25 and 26, Section 208.152, Lines 273 to 311, by deleting all of said lines and inserting in lieu thereof the following:

"[3.] **4.** The division of medical services may require any recipient of medical assistance to pay part of the charge or cost, as defined by rule duly promulgated by the division of medical services, for dental services, drugs and medicines, optometric services, eye glasses, dentures, hearing aids, and other services, to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, RSMo, and a generic drug is substituted for a name brand drug, the division of medical services may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services

described under this section must collect from all recipients the partial payment that may be required by the division of medical services under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by recipients under this section shall be in addition to, and not in lieu of, any payments made by the state for goods or services described herein."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Jetton resumed the Chair.

Representative Page moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Chappelle-Nadal
Casey	Chinn	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Faith
Fraser	George	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nolte	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 090

Avery	Baker 123	Barnitz	Bean	Bearden
Behnen	Bivins	Black	Brown 30	Bruns
Byrd	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Lager	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schad	Schlottach	Schneider
Self	Smith 118	Smith 14	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Lembke Marsh Schaaf Stevenson Swinger

VACANCIES: 001

Representative Low (39) offered **House Amendment No. 10.**

House Amendment No. 10

AMEND Senate Substitute for Senate Bill No. 539, Page 19, Section 208.152, Lines 52 to 54, by deleting all of said lines and inserting in lieu thereof the following:

- "(7) Dental services;
- (8) Services of podiatrists as defined in section 330.010, RSMo;
- (9) Drugs and medicines when prescribed by a licensed physician"; and

Further amend said bill, Page 19, Section 208.152, Line 60, by deleting "[(10)] (8)" and inserting in lieu thereof the following: "(10)"; and

Further amend said bill, Page 19, Section 208.152, Line 69, by deleting "[(11)] (9)" and inserting in lieu thereof the following: "(11)"; and

Further amend said bill, Page 19, Section 208.152, Line 75, by deleting "[(12)] (10)" and inserting in lieu thereof the following: "(12)"; and

Further amend said bill, Page 19, Section 208.152, Line 75, by deleting "[(13)]" and inserting in lieu thereof the following: "(13)"; and

Further amend said bill, Page 19, Section 208.152, Line 76, by deleting "(14)] (11)" and inserting in lieu thereof the following: "(14)" and renumber remaining subdivisions accordingly; and

Further amend said bill, Page 24, Section 208.152, Lines 226 to 228, by deleting all of said lines and renumber all remaining subdivisions accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Low (39) moved that **House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Aull	Avery	Baker 25	Barnitz	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Bruns	Burnett	Chappelle-Nadal	Casey	Chinn
Corcoran	Curls	Darrough	Daus	Deeken
Donnelly	Dougherty	El-Amin	Faith	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Nance	Oxford	Page	Parker
Robinson	Roorda	Rucker	Salva	Schneider
Schoemehl	Selby	Shoemyer	Skaggs	Spreng

Storch	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Wright 137	Yaeger	Young	Zweifel	

NOES: 085

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Byrd	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Self	Smith 118	Smith 14	Stefanick
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Marsh	Stevenson	Swinger
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VACANCIES: 001

Representative Bland offered **House Amendment No. 11.**

House Amendment No. 11

AMEND Senate Substitute for Senate Bill No. 539, Page 20, Section 208.152, Lines 82 to 84, by deleting all of said lines and inserting in lieu thereof the following:

"(15) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;
 (16) Inpatient psychiatric hospital services for individuals under" and renumber remaining subdivisions accordingly; and

Further amend said bill, Page 24, Section 208.152, Lines 229 and 230, by deleting all of said lines and renumber all remaining subdivisions accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bland moved that **House Amendment No. 11** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Aull	Baker 25	Barnitz	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Bruns	Burnett	Chappelle-Nadal	Casey	Chinn
Corcoran	Curls	Darrough	Daus	Deeken
Donnelly	Dougherty	El-Amin	Faith	Fraser
George	Harris 110	Harris 23	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Nance	Nolte	Oxford	Page
Parker	Robinson	Roorda	Rucker	Salva
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 085

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Brown 30	Byrd	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nieves	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Self	Smith 118	Smith 14	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Marsh	Stevenson	Swinger
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VACANCIES: 001

Representative Curls offered **House Amendment No. 12.**

House Amendment No. 12

AMEND Senate Substitute for Senate Bill No. 539, Page 18, Section 208.151, Line 26, by inserting after all of said line the following:

"(4) Artificially-supplied oxygen;" and renumber remaining subdivisions accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Curls moved that **House Amendment No. 12** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Casey	Chinn
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Faith	Fraser	George
Harris 110	Harris 23	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Nance	Nolte	Oxford	Page	Parker
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 086

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Brown 30	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nieves	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Smith 118	Smith 14	Stefanick
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 004

Black Marsh Stevenson Swinger

VACANCIES: 001

Representative Lampe offered House Amendment No. 13.*House Amendment No. 13*

AMEND Senate Substitute for Senate Bill No. 539, Page 22, Section 208.152, Line 150, by deleting "[(20) " and inserting in lieu thereof the following: "[20] **(16)**"; and

Further amend said bill, Page 22, Section 208.152, Line 159, by deleting the number "(21)" and inserting in lieu thereof the following: "[21] **(17)**"; and

Further amend said bill, Page 22, Section 208.152, Line 174, by deleting "(22)] **(16)**" and inserting in lieu thereof the following: "[(22)] **(18)**" and renumber remaining subdivisions accordingly; and

Further amend said bill, Pages 24 and 25, Section 208.152, Lines 230 to 267, by deleting all of said lines and inserting in lieu thereof the following:

"glasses, dentures, hearing aids, and wheelchairs."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Lampe moved that House Amendment No. 13 be adopted.

Which motion was defeated by the following vote:

AYES: 073

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Chinn	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Faith	Fraser	George	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McGhee	Meadows	Meiners	Nance
Nolte	Oxford	Page	Parker	Robinson
Roorda	Rucker	Salva	Schneider	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Wells	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

NOES: 084

Avery	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Fares

Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Lager	Lembke
Lipke	Loehner	May	Moore	Munzlinger
Muschany	Myers	Nieves	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Self	Smith 118	Smith 14	Stefanick
St. Onge	Sutherland	Threlkeld	Viebrock	Wallace
Wasson	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker 123	Marsh	Stevenson	Swinger	Tilley
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VACANCIES: 001

Representative Darrough offered **House Amendment No. 14**.

House Amendment No. 14

AMEND Senate Substitute for Senate Bill No. 539, Page 35, Section 208.225, Lines 1 to 30, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Darrough moved that **House Amendment No. 14** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Bruns
Burnett	Chappelle-Nadal	Casey	Chinn	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Faith	Fraser	George	Harris 110
Harris 23	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Nance
Nolte	Oxford	Page	Parker	Robinson
Roorda	Rucker	Salva	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Wright 137	Yaeger	Young	Zweifel	

NOES: 080

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Lager	Lembke
Lipke	May	McGhee	Munzlinger	Muschany
Myers	Nieves	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Smith 118	Smith 14
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Loehner	Marsh	Moore	Parson	Rector
Stevenson	Swinger	Viebrock		

VACANCIES: 001

Representative Bringer offered **House Amendment No. 15.**

House Amendment No. 15

AMEND Senate Substitute for Senate Bill No. 539, Page 35, Section 208.225, Line 30, by inserting after said line the following:

“208.545. 1. Any person sixty-five years of age or older who loses his or her eligibility under the state Medicaid program on the effective date of this act shall automatically be enrolled in the senior Rx program. On or before thirty days after the effective date of this act the department of social services shall compile and provide the department of health and senior services with a list of all persons sixty-five years of age or older who become ineligible for Medicaid coverage on the effective date of this act.

2. For persons automatically enrolled under subsection 1 of this section:

(1) Any out-of-pocket costs for prescription drugs purchased by such persons between the effective date of this act and the date on which the department of health and senior services is notified of a person's ineligibility for Medicaid coverage shall be credited towards the deductible requirements under the senior Rx program;

(2) The department of health and senior services shall notify such persons of their automatic enrollment in and the benefits of the senior Rx program within fifteen days of such automatic enrollment; and

(3) Such persons may opt out of the program after automatic enrollment by notifying the department in writing or by declining to pay the enrollment fee for the program.

3. After the initial automatic enrollment of any person sixty-five years of age or older in the senior Rx program under this section, such person's continued participation in the program for any subsequent program period shall be in accordance with sections 208.550 to 208.574.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Bearden assumed the Chair.

Representative Bringer moved that **House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Aull	Baker 25	Barnitz	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Burnett	Chappelle-Nadal	Casey	Chinn	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Faith	Fraser	George	Harris 110
Harris 23	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Nance
Nolte	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 088

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Brown 30	Bruns	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Lager	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Myers	Nieves	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Smith 118
Smith 14	Stefanick	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Marsh	Muschany	Stevenson	Swinger
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VACANCIES: 001

Representative Brown (50) offered **House Amendment No. 16**.

House Amendment No. 16

AMEND Senate Substitute for Senate Bill No. 539, Pages 64 and 65, Section 208.162, Lines 1 to 38, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Brown (50) moved that **House Amendment No. 16** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Chinn	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Faith	Fraser	George	Harris 110	Harris 23
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Nance	Nolte
Oxford	Page	Parker	Robinson	Roorda
Rucker	Salva	Schneider	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 088

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nieves
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Self	Smith 118
Smith 14	Stefanick	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

Marsh Stevenson Swinger

VACANCIES: 001

Representative Bowman offered **House Amendment No. 17.**

House Amendment No. 17

AMEND Senate Substitute for Senate Bill No. 539, Page 57, Section 660.687, Line 11, by inserting after all of said line the following:

"Section 1. Notwithstanding any other provision of law to the contrary, any resident of this state who otherwise meets the eligibility requirements for medical assistance benefits under chapter 208, RSMo, and whose family income is one hundred percent or less of the federal poverty level shall be eligible to receive medical assistance benefits under chapter 208, RSMo. For purposes of this section "employed on a full-time basis" means a person who is employed an average of thirty-five hours per week for at least two calendar quarters immediately preceding the determination of eligibility."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bowman moved that **House Amendment No. 17** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Chappelle-Nadal	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Faith
Fraser	George	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 091

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce

Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Self	Smith 118	Smith 14	Stefanick
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 005

Marsh	Parker	Schneider	Stevenson	Swinger
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VACANCIES: 001

Representative Whorton offered **House Amendment No. 18.**

House Amendment No. 18

AMEND Senate Substitute for Senate Bill No. 539, Section 660.687, Page 57, Line 11, by inserting after all of said line the following:

"Section 1. The department of social services shall make every effort to ensure that the state Medicaid program is the payor of last resort for payments made on behalf of eligible recipients, for drugs and medicines prescribed by a licensed physician, dentist, or podiatrist under the provisions of section 208.152, RSMo. The department shall evaluate the Medicaid pharmacy program on an annual basis and determine whether there are any programs, discounts, or rebates available to eligible recipients to reduce the payments made by the Medicaid program on behalf of such recipients."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Whorton moved that **House Amendment No. 18** be adopted.

Which motion was defeated.

Speaker Jetton resumed the Chair.

On motion of Representative Stefanick, **SS SB 539** was truly agreed to and finally passed by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Behnen	Bivins
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nieves

Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Self
Smith 118	Smith 14	Stefanick	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 069

Aull	Baker 25	Barnitz	Bean	Black
Bland	Bowman	Boykins	Bringer	Brooks
Brown 50	Burnett	Chappelle-Nadal	Casey	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	Harris 110	Harris 23	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nance	Oxford	Page
Parker	Robinson	Roorda	Rucker	Salva
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 004

George	Marsh	Stevenson	Swinger
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VACANCIES: 001

Speaker Jetton declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 33 - Utilities

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 339 - Transportation

HB 972 - Special Committee on General Laws

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 168 - Local Government

SCS SBs 221, 250 & 256 - Transportation

SS SCS SB 269 - Special Committee on Urban Issues

SS SCS SB 462 - Local Government

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 633**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 161**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 266**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 298**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 299**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SB 302**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 131**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SCS SB 133**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 261**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SB 99**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SB 156**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SB 516**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 24**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Smith (118) reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 721**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 804**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Senior Citizen Advocacy, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Senior Citizen Advocacy, to which was referred **HB 827**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Ervin reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 552**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Small Business, to which was referred **SB 211**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 591**, **HB 210**, **HB 377**, **HB 760** and **HB 777**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 697**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 23 & 51**, entitled:

An act to repeal sections 570.255 and 570.300, RSMo, and to enact in lieu thereof three new sections relating to criminal offenses concerning entertainment, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SBs 202, 33, 45, 183 & 217** and has taken up and passed **HCS SCS SBs 202, 33, 45, 183 & 217**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 274**, entitled:

An act to amend chapter 407, RSMo, by adding thereto five new sections relating to travel clubs, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 319**, entitled:

An act to repeal section 288.110, RSMo, and to enact in lieu thereof one new section relating to the transfers of experience and assignment of rates for employer accounts, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 343**, entitled:

An act to repeal sections 99.960 and 135.284, RSMo, section 99.845, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 289, ninety-second general assembly, first regular session and senate bill no. 235, ninety-second general assembly, first regular session, and section 99.845 as enacted by senate committee substitute for senate bill no. 620, ninety-second general assembly, first regular session, and to enact in lieu thereof ten new sections relating to job development programs administered by the department of economic development.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 346**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to immunity for inherently dangerous recreational activities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 468**, entitled:

An act to amend chapter 204, RSMo, by adding thereto thirty-four new sections relating to reorganized common sewer districts.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Friday, April 8, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Margaret Donnelly, District 73, hereby state and affirm that my vote as recorded on Page 896 of the House Journal for Wednesday, April 6, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2005.

/s/ Margaret Donnelly
State Representative

State of Missouri)
County of Cole) ss.

Subscribed and sworn to before me this 7th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Al Liese, District 79, hereby state and affirm that my vote as recorded on Page 897 of the House Journal for Wednesday, April 6, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2005.

/s/ Al Liese
State Representative

State of Missouri)
County of Cole) ss.

Subscribed and sworn to before me this 7th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Robin Wright-Jones, District 63, hereby state and affirm that my vote as recorded on Page 894 of the House Journal for Wednesday, April 6, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 7th day of April 2005.

/s/ Robin Wright-Jones
State Representative

[illegible]

Subscribed and sworn to before me this 7th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

CHILDREN AND FAMILIES

Tuesday, April 12, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SCR 2, SCS#2 SB 155, SB 42

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: SB 174, SB 288, SB 364,
SCS SB 450, SCS SB 502

HEALTH CARE POLICY

Tuesday, April 12, 2005, 8:00 a.m. House Lounge.

Executive session.

HIGHER EDUCATION

Tuesday, April 12, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: SB 526, SB 286

LOCAL GOVERNMENT

Monday, April 11, 2005, Hearing Room 6 upon afternoon adjournment.

Executive session will follow.

Public hearings to be held on: SB 257, SCS SB 258, SB 259, SCS SB 260,
SB 490, SB 361, SB 431, SB 453, SB 507

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 12, 2005, 8:00 a.m. Hearing Room 4.

Public hearings to be held on: SCS SB 100, SB 280, SB 347

Executive session may be held on: SCS SB 28, SCS SB 100, SB 178,
SB 280, SB 347, SB 482, HB 652, HB 702, HB 665

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 13, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 729, HB 785

Executive session may be held on: HB 729, SB 177

RULES

Monday, April 11, 2005, 1:45 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HCS HB 671, HCS#2 HB 568, HB 196, HCS HB 272, HCS HB 489, HCS HB 498, HCS HB 863, HB 291, HCS HB 697, HCS HB 827, HCS HB 552, HB 721, HCS HB 804, HB 708, HCS SB 21, SCS SB 501, SB 149, SB 211

SPECIAL COMMITTEE ON EDUCATION FUNDING

Monday, April 11, 2005, 6:00 p.m. Hearing Room 5.

Committee will meet at 6:00 p.m. or adjournment whichever is later.

Executive session will be held on: HB 771

SPECIAL COMMITTEE ON URBAN ISSUES

Monday, April 11, 2005, 1:00 p.m. House Chamber side gallery north side.

Executive session to follow. AMENDED

Public hearings to be held on: HB 813, SCS SB 246, SS SCS SB 269

WAYS AND MEANS

Monday, April 11, 2005, Hearing Room 4 upon evening adjournment.

Executive session.

HOUSE CALENDAR

FIFTY-FIRST DAY, FRIDAY, APRIL 8, 2005

HOUSE BILLS FOR PERFECTION

- 1 HB 344 - Baker (123)
- 2 HB 376 - Guest
- 3 HCS HB 576 - Flook
- 4 HCS HB 286 - Bland
- 5 HCS HB 519, as amended - Roark (139) (3 hours debate on Perfection)
- 6 HB 539 - Icet
- 7 HCS HB 474 - Yates
- 8 HCS HB 628 - Byrd
- 9 HCS HB 639 - Cunningham (86)
- 10 HB 410 - Flook
- 11 HCS HB 532 - Spreng
- 12 HCS HB 255 - Cunningham (86)
- 13 HCS HB 387 - Byrd
- 14 HCS HB 525 - May
- 15 HB 530 - Moore
- 16 HCS HB 353 - Lipke (2 hours debate on Perfection)
- 17 HB 205 - Salva
- 18 HCS HB 49 & 50 - Jolly
- 19 HCS HB 209 - Cooper (120)

- 20 HCS HB 461 - Sutherland
- 21 HCS HB 36 - Davis
- 22 HCS HB 400 - Yates
- 23 HB 320 - Muschany
- 24 HB 417 - Yates
- 25 HCS HB 440 - Pratt
- 26 HCS HB 649 - Fares

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 276 - Cunningham (86)

HOUSE BILL FOR THIRD READING

HB 375 - Nance

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILLS FOR SECOND READING

- 1 SCS SBs 23 & 51
- 2 SB 274
- 3 SCS SB 319
- 4 SS SB 343
- 5 SS SCS SB 346
- 6 SCS SB 468

SENATE BILL FOR THIRD READING - CONSENT

(4/08/05)

SCS SB 69, E.C. - Pratt

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 9, (2-17-05, Page 351) - Bivins
- 2 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 3 HCR 20, (3-09-05, Page 553) - Rupp
- 4 HCS HCR 24, (3-30-05, Pages 777-778) - Bowman

HOUSE RESOLUTION

HR 1117, (3-10-05, Page 587) - Wright (137)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-FIRST DAY, FRIDAY, APRIL 8, 2005

The House met pursuant to adjournment.

Representative Moore in the Chair.

Prayer by Robbin Kimbell, Legislator Assistant to Representative Danie Moore.

Lord God, we come before You to give You thanks for being with this body of leaders this past week. You know they have worked long and hard making difficult decisions that affect not only the citizens of Missouri, but will touch their own families and friends as well.

Please Lord, grant them wisdom for one more day of decisiveness. Help each of them to be the leaders of integrity You've called them to be. As the book of James 1:5 states: "If any of you lacks wisdom, he should ask God, who gives generously to all without finding fault, and it will be given to him".

Bless them indeed Lord. May they be aware of Your Spirit upon them and inside these Chamber walls. I also ask that You deliver them home safely, give them the physical, mental and emotional rest they will need to return here to complete the task You have set before them. Thank You Lord Jesus.

In Your powerful name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1988

and

House Resolution No. 1989 - Representative Cooper (120)

House Resolution No. 1990 - Representative Lampe

SECOND READING OF SENATE BILLS

SCS SBs 23 & 51, SB 274, SCS SB 319, SS SB 343, SS SCS SB 346 and SCS SB 468 were read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Lager reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 4**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 5**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 8**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 9**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 10**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 11**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 12**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 13**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 617**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

House Committee Amendment No. 1

AMEND House Bill No. 617, Page 2, Section 249.1150, Line 26, by inserting immediately after said line the following:

“2. If any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but fewer than thirteen thousand one hundred seventy-five inhabitants, any county of the third classification without a township form of government and with more than nine thousand four hundred fifty but fewer than nine thousand five hundred fifty inhabitants, or any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but fewer than eighteen thousand inhabitants located in the watershed improvement district created in this section on August 27, 2005, is subsequently removed from the district, such county shall not be included again in the watershed improvement district under this section without a majority vote of the qualified voters of such county.”; and

Further amend said Section, Page 4, Line 122, by inserting after said line the following:

“12. For a watershed improvement district located in any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but fewer than thirteen thousand one hundred seventy-five inhabitants, any county of the third classification without a township form of government and with more than nine thousand four hundred fifty but fewer than nine thousand five hundred fifty inhabitants, or any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but fewer than eighteen thousand inhabitants, upon the filing of a petition signed by at least twenty percent of the qualified voters of the county requesting removal of the county from a watershed improvement district, the governing body of such county shall at the next general or primary election submit the question to the qualified voters of the county. The ballot submission shall be in substantially the following form:

Shall County be removed from the watershed improvement district?

☐ Yes

☐ No

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in the county favor the proposal submitted under this subsection, the county shall be removed from the district. If a majority of the votes cast in the county oppose the proposal submitted under this subsection.”; and

Further amend Section 249.1152, Page 4, Line 1 of said section, by inserting an open bracket “[“ immediately before section number 249.1152; and

Further amend said section, Page 9, Line 175 of said section, by inserting a closed bracket “]” immediately following the period; and

Further amend said line of said section, by inserting immediately following said line the following:

"[249.1154. The governing body of any county, by order or ordinance or upon the filing of a petition signed by at least twenty percent of the property owners in an area proposed for designation under this section, may designate groundwater depletion areas within a watershed improvement district created under section 249.1150 or 249.1152 and may require well volume monitoring.

249.1155. After August 28, 2004, any county within a watershed improvement district may require that all septic systems be maintained or pumped every five years by a licensed provider. In the event a county requires that all septic systems be so maintained or pumped the owner of any septic system shall submit proof of maintenance or pumping to the county department of health or the state department of health and senior services if appropriate which shall determine what shall constitute proof of compliance with the requirement. In addition, the county department of health or the state department of health and senior services if appropriate may charge septic tank owners a reasonable fee for monitoring compliance with the requirement.

640.635. Any person or laboratory performing an analysis of wastewater shall be licensed to perform the analysis by the department of natural resources. The department shall determine by rule or regulation the licensing criteria. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. The department may require the person or laboratory obtaining a license under this section to pay a fee to the department for licensure. The fee shall be set at a level not to exceed the cost and expense of administrating this section.]

644.076. 1. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed ten thousand dollars per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. A civil monetary penalty pursuant to this section shall not be assessed for a violation where an administrative penalty was assessed pursuant to section 644.079. The commission, the chair of a watershed district's board of trustees created under section 249.1150 [or 249.1152], or the director may request either the attorney general or a prosecuting attorney to bring any action authorized in this section in the name of the people of the state of Missouri. Suit may be brought in any county where the defendant's principal place of business is located or where the water contaminant or point source is located or was located at the time the violation occurred. Any offer of settlement to resolve a civil penalty pursuant to this section shall be in writing, shall state that an action for imposition of a civil penalty may be initiated by the attorney general or a prosecuting attorney representing the department pursuant to this section, and shall identify any

dollar amount as an offer of settlement which shall be negotiated in good faith through conference, conciliation and persuasion.

2. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.

3. Any person who willfully or negligently commits any violation set forth pursuant to subsection 1 of this section shall, upon conviction, be punished by a fine of not less than two thousand five hundred dollars nor more than twenty-five thousand dollars per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this section by any person shall be punished by a fine of not more than fifty thousand dollars per day of violation, or by imprisonment for not more than two years, or both.

4. The liabilities which shall be imposed pursuant to any provision of sections 644.006 to 644.141 upon persons violating the provisions of sections 644.006 to 644.141 or any standard, rule, limitation, or regulation adopted pursuant thereto shall not be imposed due to any violation caused by an act of God, war, strike, riot, or other catastrophe.

701.031. Property owners of all buildings where people live, work or assemble shall provide for the sanitary disposal of all domestic sewage. Except as provided in this section, sewage and waste from such buildings shall be disposed of by discharging into a sewer system regulated pursuant to chapter 644, RSMo, or shall be disposed of by discharging into an on-site sewage disposal system operated as defined by rules promulgated pursuant to sections 701.025 to 701.059. [Any person installing on-site sewage disposal systems shall be registered to do so by the department of health and senior services.] The owner of a single-family residence lot consisting of three acres or more, or the owner of a residential lot consisting of ten acres or more with no single-family residence on-site sewage disposal system located within three hundred sixty feet of any other on-site sewage disposal system and no more than one single-family residence per each ten acres in the aggregate, except lots adjacent to lakes operated by the Corps of Engineers or by a public utility, shall be excluded from the provisions of sections 701.025 to 701.059 and the rules promulgated pursuant to sections 701.025 to 701.059, including provisions relating to the construction, operation, major modification and major repair of on-site disposal systems, when all points of the system are located in excess of ten feet from any adjoining property line and no effluent enters an adjoining property, contaminates surface waters or groundwater or creates a nuisance as determined by a readily available scientific method. Except as provided in this section, any construction, operation, major modification or major repair of an on-site sewage disposal system shall be in accordance with rules promulgated pursuant to sections 701.025 to 701.059, regardless of when the system was originally constructed. The provisions of subdivision (2) of subsection 1 of section 701.043 shall not apply to lots located in subdivisions under the jurisdiction of the department of natural resources which are required by a consent decree, in effect on or before May 15, 1984, to have class 1, National Sanitation Federation (NSF) aerated sewage disposal systems.

701.038. 1. The department of health and senior services or any of its agents may not investigate a sewage complaint except when necessary as part of a communicable disease investigation unless the complaint is received from an aggrieved party **or**, an adjacent landowner, [or any two residents of the county]. The department of health and senior services or any of its agents may enter any adjoining property if necessary when they are making an inspection pursuant to this section. The necessity for entering such adjoining property shall be stated in writing and the owner of such property shall be notified before the department or any of its agents may enter, except that, if an imminent health hazard exists, such notification shall be attempted but is not required.

2. If the department or its agents make an investigation pursuant to a complaint as described in subsection 1 of this section and find that a nuisance does exist, the property owner shall comply with state and local standards when repairing or replacing the on-site sewage disposal system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 824**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 948**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 866**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **HB 854**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

The following members' presence was noted: Deeken, Fares, Rucker, Shoemyer and Whorton.

ADJOURNMENT

On motion of Representative Moore, the House adjourned until 2:00 p.m., Monday, April 11, 2005.

COMMITTEE MEETINGS

CHILDREN AND FAMILIES

Tuesday, April 12, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SCR 2, SCS#2 SB 155, SB 42

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: SB 174, SB 288, SB 364, SCS SB 450, SCS SB 502

HEALTH CARE POLICY

Tuesday, April 12, 2005, 8:00 a.m. House Lounge.

Executive session.

HIGHER EDUCATION

Tuesday, April 12, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: SB 526, SB 286

JUDICIARY

Tuesday, April 12, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 534, SB 422, SCS SBs 420 & 344,
SCS SB 407, SB 405, SB 404, SB 342, SB 320, SB 308, SCS SB 289,
SB 216, SB 123

JUDICIARY

Tuesday, April 12, 2005, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 794, HB 826

LOCAL GOVERNMENT

Monday, April 11, 2005, Hearing Room 6 upon afternoon adjournment.

Executive session will follow.

Public hearings to be held on: SB 257, SCS SB 258, SB 259,
SCS SB 260, SB 490, SB 361, SB 431, SB 453, SB 507

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 12, 2005, 8:00 a.m. Hearing Room 4.

Public hearings to be held on: SCS SB 100, SB 280, SB 347

Executive session may be held on: SCS SB 28, SCS SB 100,
SB 178, SB 280, SB 347, SB 482, HB 652, HB 702, HB 665

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 13, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 729, HB 785

Executive session may be held on: HB 729, SB 177

RULES

Monday, April 11, 2005, 1:45 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HCS HB 671, HCS#2 HB 568, HB 196, HCS HB 272,
HCS HB 489, HCS HB 498, HCS HB 863, HB 291, HCS HB 697, HCS HB 827,
HCS HB 552, HB 721, HCS HB 804, HB 708, HCS SB 21, SCS SB 501, SB 149,
SB 211, HCS SCS SB 161, SCS SB 302, SCS SB 266, SB 299, SB 298, SB 306,
SB 261, SB 131, SCS SB 133, HB 1, HCS HB 2, HCS HB 3, HCS HB 4,
HCS HB 5, HCS HB 6, HCS HB 7, HCS HB 8, HCS HB 9, HCS HB 10,
HCS HB 11, HB 12, HB 13, HCS SCS SB 24, SB 516, SB 99, SB 156

SPECIAL COMMITTEE ON EDUCATION FUNDING

Monday, April 11, 2005, 6:00 p.m. Hearing Room 5.

Committee will meet at 6:00 p.m. or adjournment, whichever is later.

Executive session will be held on: HB 771

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, April 12, 2005, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HR 1176, HB 841, SB 521, SB 71

SPECIAL COMMITTEE ON URBAN ISSUES

Monday, April 11, 2005, 1:00 p.m. House Chamber north side gallery.

Executive session to follow. AMENDED

Public hearings to be held on: HB 813, SCS SB 246, SS SCS SB 269

TOURISM

Tuesday, April 12, 2005, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 754, SB 180, SB 358

VETERANS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 784, HB 786, HJR 22, SCS SB 252

WAYS AND MEANS

Monday, April 11, 2005, Hearing Room 4 upon evening adjournment.

Executive session.

HOUSE CALENDAR

FIFTY-SECOND DAY, MONDAY, APRIL 11, 2005

HOUSE BILLS FOR PERFECTION

- 1 HB 344 - Baker (123)
- 2 HB 376 - Guest
- 3 HCS HB 576 - Flook
- 4 HCS HB 286 - Bland
- 5 HCS HB 519, as amended - Roark (3 hours debate on Perfection)
- 6 HB 539 - Icet
- 7 HCS HB 474 - Yates
- 8 HCS HB 628 - Byrd
- 9 HCS HB 639 - Hoskins
- 10 HB 410 - Flook

- 11 HCS HB 532 - Spreng
- 12 HCS HB 255 - Cunningham (86)
- 13 HCS HB 387 - Byrd
- 14 HCS HB 525 - May
- 15 HB 530 - Moore
- 16 HCS HB 353 - Lipke (2 hours debate on Perfection)
- 17 HB 205 - Salva
- 18 HCS HB 49 & 50 - Jolly
- 19 HCS HB 209 - Cooper (120)
- 20 HCS HB 461 - Sutherland
- 21 HCS HB 36 - Davis
- 22 HCS HB 400 - Yates
- 23 HB 320 - Muschany
- 24 HB 417 - Yates
- 25 HCS HB 440 - Pratt
- 26 HCS HB 649 - Fares

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 276 - Cunningham (86)

HOUSE BILL FOR THIRD READING

HB 375 - Nance

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILL FOR THIRD READING - CONSENT

(4/08/05)

SCS SB 69, E.C. - Pratt

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 9, (2-17-05, Page 351) - Bivins
- 2 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 3 HCR 20, (3-09-05, Page 553) - Rupp
- 4 HCS HCR 24, (3-30-05, Pages 777-778) - Bowman

HOUSE RESOLUTION

HR 1117, (3-10-05, Page 587) - Wright (137)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-SECOND DAY, MONDAY, APRIL 11, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, hear our prayer, give ear to our cry. Turn Your gaze upon us as we agonize over the tough decisions we face and make daily.

O Lord, we wait on You. Our hope is in You. Examine our hearts and motives that assumptions and preconceived ideas are revealed before we cast one vote.

Help us in our impatience. Guide us in Your truth. Give us words to clearly state our positions. Grant us the wisdom of silence when appropriate and speech when necessary.

Be gracious to us and lift us to a renewed sense of responsibility. Uphold us in our integrity. Keep us in Your love.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fiftieth day was approved as printed.

The Journal of the fifty-first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1991	-	Representative Cooper (120)
House Resolution No. 1992	-	Representative Self
House Resolution No. 1993	-	Representatives Meiners and Jolly
House Resolution No. 1994	-	Representatives Ruestman and Wilson (130)
House Resolution No. 1995	-	Representatives Ruestman and Kelly
House Resolution No. 1996	-	Representatives Ruestman and Lager
House Resolution No. 1997	-	Representatives Ruestman and St. Onge
House Resolution No. 1998	-	Representative Ruestman
House Resolution No. 1999	-	Representatives Ruestman and Self
House Resolution No. 2000	-	Representatives Ruestman and Nieves

House Resolution No. 2001
and
House Resolution No. 2002 - Representative Cunningham (145)
House Resolution No. 2003 - Representatives Viebrock and Denison
House Resolution No. 2004
through
House Resolution No. 2017 - Representative Whorton
House Resolution No. 2018 - Representative Baker (25)
House Resolution No. 2019 - Representative Wright (137)
House Resolution No. 2020 - Representative Loehner
House Resolution No. 2021 - Representative Rupp
House Resolution No. 2022
through
House Resolution No. 2026 - Representative Cooper (158)
House Resolution No. 2027 - Representative Cooper (120)
House Resolution No. 2028 - Representative Wilson (119)
House Resolution No. 2029 - Representative Richard
House Resolution No. 2030 - Representative Lager
House Resolution No. 2031 - Representative Cooper (158)
House Resolution No. 2032 - Representative Lager

PERFECTION OF HOUSE BILLS

HB 410, relating to a highway designation, was taken up by Representative Flook.

On motion of Representative Flook, **HB 410** was ordered perfected and printed.

HCS HB 461, relating to the assessment of business personal property, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HB 461** was adopted.

On motion of Representative Sutherland, **HCS HB 461** was ordered perfected and printed.

HCS HB 639, relating to the Betty L. Thompson Scholarship Program, was taken up by Representative Hoskins.

Representative Davis offered **House Amendment No. 1**.

Representative Richard raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Johnson (47) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 639, Page 6, Section 135.618, Lines 32 to 39, by striking all of said lines and inserting in lieu thereof the following:

“(6) **Administration of the statewide assessments under section 160.518, RSMo;**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 2** was adopted by the following vote:

AYES: 086

Aull	Baker 25	Baker 123	Bivins	Bland
Bringer	Brown 30	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Cunningham 145	Curls	Darrough
Deeken	Donnelly	Dougherty	Fares	Fisher
Franz	Fraser	George	Guest	Harris 23
Harris 110	Haywood	Henke	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kratky	Kraus
Kuessner	Lager	Lampe	LeVota	Liese
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Munzlinger	Nance	Oxford	Page
Parson	Pearce	Pollock	Quinn	Robinson
Roorda	Rucker	Salva	Schad	Schlottach
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Smith 118	Spreng	Storch	Swinger	Viebrock
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 130
Witte	Wood	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 067

Avery	Bearden	Behnen	Black	Bruns
Byrd	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 86	Daus	Davis	Day	Dempsey
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Flook	Goodman
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Kelly	Kingery	Lembke
Lipke	Meiners	Moore	Muschany	Myers
Nieves	Nolte	Phillips	Portwood	Pratt
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Self
Smith 14	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Villa	Wilson 119	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnitz	Bean	Bowman	Boykins	Brooks
Marsh	Parker	Vogt	Wright 137	

VACANCIES: 001

Representative Lampe offered **House Amendment No. 3.***House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 639, Section 135.622, Page 7, Line 4, by inserting at the end of said line, the following:

“Nothing in this act shall be construed to reduce the state’s duty or commitment to fund Missouri’s public schools, nor shall adoption of this act be construed to reflect an intention to reduce appropriations for Missouri’s public schools.”.

On motion of Representative Lampe, **House Amendment No. 3** was adopted by the following vote:

AYES: 135

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 86	Curls
Darrough	Daus	Day	Deeken	Dempsey
Denison	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hughes	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McGhee
Meadows	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Portwood	Pratt
Quinn	Rector	Robb	Robinson	Roorda
Rucker	Rupp	Salva	Sater	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Viebrock	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 019

Cunningham 145	Davis	Dethrow	Hubbard	Hunter
May	Meiners	Pollock	Richard	Roark
Ruestman	Sander	Schaaf	Stevenson	Tilley
Villa	Whorton	Wilson 119	Wright 137	

PRESENT: 001

Fares

ABSENT WITH LEAVE: 007

Barnitz	Bean	Boykins	Brooks	Marsh
Parker	Schneider			

VACANCIES: 001

Representative Wright (137) assumed the Chair.

Representative Corcoran offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 639, in the Title, Page 1, Line 3, by striking the words “emergency provision” and inserting in lieu thereof the following: “effective date”; and

Further amend Section B, Page 11, Lines 1-5, by striking all of said lines and inserting in lieu thereof the following:

“Section B. Section A of this act shall become effective July 1, of the school year next following the first school year the state school aid formula established pursuant to Chapter 163, RSMo, is determined to have been fully funded for the prior year, as determined by the commissioner of education. The commissioner shall annually report to the governor and general assembly on or before January 1 of the following school year as to the funding level of the state school aid formula for the preceding school year and as to whether the formula was fully funded during such school year. When the commissioner determines that the formula was fully funded for the preceding school year, he shall also provide such notice to the revisor of statutes no later than February 1 of such following school year.”; and

Further amend the title and enacting clause accordingly.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Corcoran, **House Amendment No. 4** was adopted by the following vote:

AYES: 080

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Brown 30	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Cunningham 145	Curls	Darrough
Daus	Deeken	Dethrow	Donnelly	Fraser
George	Guest	Harris 23	Harris 110	Haywood
Henke	Hughes	Johnson 47	Johnson 90	Jolly
Jones	Kratky	Kraus	Kuessner	Lager

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Lampe	LeVota	Liese	Loehner	Low 39
Lowe 44	McGhee	Meadows	Nance	Oxford
Page	Parson	Pearce	Pollock	Robinson
Roorda	Rucker	Salva	Schad	Schlottach
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Tilley	Viebrock
Vogt	Wagner	Wallace	Walsh	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright-Jones	Yaeger	Young	Zweifel

NOES: 073

Avery	Bearden	Behnen	Bivins	Black
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 86	Davis	Day	Dempsey
Denison	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fisher	Flook
Franz	Goodman	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Kelly	Kingery
Lembke	Lipke	May	Meiners	Moore
Munzlinger	Muschany	Myers	Nieves	Nolte
Phillips	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Self	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Villa	Wasson	Wells	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 002

Fares Johnson 61

ABSENT WITH LEAVE: 007

Barnitz	Bean	Boykins	Brooks	Marsh
Parker	Walton			

VACANCIES: 001

HCS HB 639, as amended, was placed on the Informal Calendar.

HB 539, relating to teacher salary incentives, was taken up by Representative Ice.

On motion of Representative Ice, **HB 539** was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 1642 - Rules

HR 1682 - Rules

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 27** - Workforce Development and Workplace Safety
- HCR 28** - Special Committee on Urban Issues
- HCR 29** - Judiciary
- HCR 30** - Children and Families
- HCR 31** - Health Care Policy
- HCR 32** - Special Committee on Education Funding

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 6** - Transportation
- HJR 24** - Elementary and Secondary Education
- HJR 26** - Conservation and Natural Resources
- HJR 27** - Workforce Development and Workplace Safety

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 184** - Ways and Means
- HB 278** - Children and Families
- HB 308** - Local Government
- HB 317** - Agriculture Policy
- HB 328** - Elementary and Secondary Education
- HB 331** - Crime Prevention and Public Safety
- HB 408** - Crime Prevention and Public Safety
- HB 476** - Judiciary
- HB 517** - Transportation
- HB 541** - Special Committee on General Laws
- HB 542** - Ways and Means
- HB 551** - Utilities
- HB 566** - Financial Institutions
- HB 611** - Elections
- HB 644** - Crime Prevention and Public Safety
- HB 655** - Higher Education
- HB 716** - Crime Prevention and Public Safety
- HB 723** - Health Care Policy
- HB 767** - Special Committee on General Laws
- HB 810** - Judiciary
- HB 811** - Corrections and Public Institutions
- HB 818** - Health Care Policy
- HB 819** - Budget

HB 834 - Small Business
HB 851 - Transportation
HB 852 - Transportation
HB 856 - Professional Registration and Licensing
HB 857 - Crime Prevention and Public Safety
HB 860 - Insurance Policy
HB 861 - Insurance Policy
HB 862 - Crime Prevention and Public Safety
HB 865 - Veterans
HB 867 - Local Government
HB 868 - Corrections and Public Institutions
HB 869 - Transportation
HB 870 - Veterans
HB 871 - Children and Families
HB 872 - Job Creation and Economic Development
HB 873 - Elementary and Secondary Education
HB 874 - Ways and Means
HB 876 - Workforce Development and Workplace Safety
HB 878 - Workforce Development and Workplace Safety
HB 879 - Elections
HB 882 - Elections
HB 883 - Transportation
HB 884 - Job Creation and Economic Development
HB 885 - Transportation
HB 886 - Financial Institutions
HB 887 - Senior Citizen Advocacy
HB 888 - Crime Prevention and Public Safety
HB 889 - Job Creation and Economic Development
HB 890 - Judiciary
HB 891 - Local Government
HB 892 - Judiciary
HB 893 - Utilities
HB 894 - Children and Families
HB 895 - Ways and Means
HB 896 - Special Committee on Education Funding
HB 897 - Retirement
HB 898 - Workforce Development and Workplace Safety
HB 899 - Agriculture Policy
HB 900 - Children and Families
HB 901 - Health Care Policy
HB 902 - Utilities
HB 903 - Children and Families
HB 904 - Corrections and Public Institutions
HB 905 - Health Care Policy
HB 906 - Elections
HB 907 - Utilities
HB 908 - Workforce Development and Workplace Safety

HB 909 - Elementary and Secondary Education
HB 910 - Insurance Policy
HB 911 - Special Committee on General Laws
HB 913 - Elementary and Secondary Education
HB 915 - Ways and Means
HB 916 - Ways and Means
HB 917 - Special Committee on General Laws
HB 918 - Crime Prevention and Public Safety
HB 919 - Elementary and Secondary Education
HB 920 - Crime Prevention and Public Safety
HB 921 - Local Government
HB 922 - Elementary and Secondary Education
HB 923 - Health Care Policy
HB 924 - Special Committee on General Laws
HB 927 - Local Government
HB 928 - Children and Families
HB 929 - Elections
HB 930 - Ways and Means
HB 931 - Judiciary
HB 932 - Children and Families
HB 934 - Insurance Policy
HB 935 - Retirement
HB 936 - Ways and Means
HB 937 - Elementary and Secondary Education
HB 938 - Judiciary
HB 939 - Ways and Means
HB 940 - Ways and Means
HB 941 - Higher Education
HB 942 - Elementary and Secondary Education
HB 943 - Conservation and Natural Resources
HB 944 - Judiciary
HB 945 - Crime Prevention and Public Safety
HB 946 - Elementary and Secondary Education
HB 947 - Transportation
HB 949 - Veterans
HB 950 - Crime Prevention and Public Safety
HB 951 - Crime Prevention and Public Safety
HB 952 - Ways and Means
HB 953 - Elections
HB 954 - Local Government
HB 955 - Job Creation and Economic Development
HB 956 - Utilities
HB 957 - Special Committee on General Laws
HB 958 - Financial Institutions
HB 959 - Insurance Policy
HB 960 - Ways and Means
HB 961 - Ways and Means

HB 963 - Children and Families
HB 964 - Agriculture Policy
HB 965 - Financial Institutions
HB 966 - Senior Citizen Advocacy
HB 967 - Ways and Means
HB 968 - Small Business
HB 969 - Special Committee on General Laws
HB 970 - Children and Families

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SS SCS SB 462 - Utilities

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 270 - Fiscal Review (Fiscal Note)
SCS SBs 23 & 51 - Crime Prevention and Public Safety
SB 274 - Tourism
SCS SB 319 - Workforce Development and Workplace Safety
SS SB 343 - Job Creation and Economic Development
SS SCS SB 346 - Judiciary
SCS SB 468 - Local Government

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Myers reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 853**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SCS SB 70**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 165**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 500** and **HB 533**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 4**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 8**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 9**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 10**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 11**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 12**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 13**, begs leave to report it has examined the same and recommends that it **Do Pass, with 12 hours total debate on Perfection for HBs 1 through 13.**

SUPPLEMENTAL CALENDAR

(April 11, 2005)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1	HB 1 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
2	HCS HB 2 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
3	HCS HB 3 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
4	HCS HB 4 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
5	HCS HB 5 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
6	HCS HB 6 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
7	HCS HB 7 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
8	HCS HB 8 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
9	HCS HB 9 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
10	HCS HB 10 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
11	HCS HB 11 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
12	HB 12 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
13	HB 13 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

April 9, 2005

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
93RD GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14** entitled:

AN ACT

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2005.

On April 9, 2005, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 14**.

Respectfully submitted,

/s/ Matt Blunt
Governor

The following member's presence was noted: Sanders Brooks.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, April 12, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Tuesday, April 12, 2005, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 211, HB 687, HB 798,
SB 187, SB 171, SCS SB 355

CHILDREN AND FAMILIES

Tuesday, April 12, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: SCR 2, SCS#2 SB 155, SB 42

CHILDREN AND FAMILIES

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 7.

Executive session only.

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: SB 174, SB 288, SB 364,
SCS SB 450, SCS SB 502, SCS SB 496

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 12, 2005, 6:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 324, SB 418

Executive session will be held on: SCS SB 73, SCS SB 423, SCS SB 10 & 27

ELECTIONS

Tuesday, April 12, 2005, 6:00 p.m. Hearing Room 5.

Executive session will follow.

Public hearings to be held on: HB 214, HB 676, HB 762, SB 479

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 12, 2005, Hearing Room 3 upon morning recess.

Executive session will follow.

Public hearings to be held on: HB 329, SB 285, SB 480

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 831, HB 842, HB 823

FINANCIAL INSTITUTIONS

Tuesday, April 12, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 164, SB 318, SB 394

HEALTH CARE POLICY

Tuesday, April 12, 2005, 8:00 a.m. House Lounge.

Executive session.

HIGHER EDUCATION

Tuesday, April 12, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: SB 526, SB 286

INSURANCE POLICY

Tuesday, April 12, 2005, Hearing Room 7 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 845, HB 925

JOINT COMMITTEE ON CORRECTIONS

Monday, April 18, 2005, 8:00 a.m. Hearing Room 1.

Election of Officers, Department of Corrections presentation, other business.

JUDICIARY

Tuesday, April 12, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 534, SB 422, SCS SBs 420 & 344, SCS SB 407, SB 405, SB 404, SB 342, SB 320, SB 308, SCS SB 289, SB 216, SB 123

JUDICIARY

Tuesday, April 12, 2005, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 794, HB 826

LOCAL GOVERNMENT

Thursday, April 14, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. Work session on SS SCS SB 210.

Public hearing to be held on: SS SCS SB 168

PROFESSIONAL REGISTRATION AND LICENSING

Tuesday, April 12, 2005, 8:00 a.m. Hearing Room 4.

Public hearings to be held on: SCS SB 100, SB 280, SB 347

Executive session may be held on: SCS SB 28, SCS SB 100, SB 178, SB 280, SB 347, SB 482, HB 652, HB 702, HB 665

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 13, 2005, 12:00 p.m. Hearing Room 1. AMENDED

Public hearings to be held on: HB 729, HB 847, HB 785

Executive session may be held on: HB 729, SB 177

RETIREMENT

Wednesday, April 13, 2005, 6:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SB 357, SB 401

RULES

Tuesday, April 12, 2005, 6:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HCS HCR 25, HB 617, HCS HB 824, HCS HB 866, HCS HB 853, HCS HB 500 & 533, HB 633

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, April 12, 2005, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HR 1176, HB 841, SB 521, SB 71

TOURISM

Tuesday, April 12, 2005, 12:00 p.m. Hearing Room 5.

Executive session may follow

Public hearings to be held on: HB 754, SB 180, SB 358

TRANSPORTATION

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 223, HB 653, HB 469,

SCS SBs 221, 250 & 256, SCS SB 247, SCS SB 390,

SCS SB 372, SCS SB 227, SB 488

VETERANS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 784, HB 786, HJR 22, SCS SB 252, SB 304

HOUSE CALENDAR

FIFTY-THIRD DAY, TUESDAY, APRIL 12, 2005

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1	HB 1 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
2	HCS HB 2 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
3	HCS HB 3 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
4	HCS HB 4 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
5	HCS HB 5 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
6	HCS HB 6 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
7	HCS HB 7 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
8	HCS HB 8 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
9	HCS HB 9 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
10	HCS HB 10 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
11	HCS HB 11 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
12	HB 12 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
13	HB 13 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)

HOUSE BILLS FOR PERFECTION

1	HB 344 - Baker (123)	
2	HB 376 - Guest	
3	HCS HB 576 - Flook	
4	HCS HB 286 - Bland	
5	HCS HB 519, as amended - Roark	(3 hours debate on Perfection)
6	HCS HB 474 - Yates	
7	HCS HB 628 - Byrd	
8	HCS HB 532 - Spreng	

- 9 HCS HB 255 - Cunningham (86)
- 10 HCS HB 387 - Byrd
- 11 HCS HB 525 - May
- 12 HB 530 - Moore
- 13 HCS HB 353 - Lipke (2 hours debate on Perfection)
- 14 HB 205 - Salva
- 15 HCS HB 49 & 50 - Jolly
- 16 HCS HB 209 - Cooper (120)
- 17 HCS HB 36 - Davis
- 18 HCS HB 400 - Yates
- 19 HB 320 - Muschany
- 20 HB 417 - Yates
- 21 HCS HB 440 - Pratt
- 22 HCS HB 649 - Fares

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 276 - Cunningham (86)

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HB 410 - Flook
- 3 HCS HB 461 - Sutherland
- 4 HB 539 - Icet

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILL FOR THIRD READING - CONSENT

(4/08/05)

SCS SB 69, E.C. - Pratt

SENATE BILL FOR THIRD READING

HCS SCS SB 270, (Fiscal Review 4-11-05), E.C. - Richard

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 9, (2-17-05, Page 351) - Bivins
- 2 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 3 HCR 20, (3-09-05, Page 553) - Rupp
- 4 HCS HCR 24, (3-30-05, Pages 777-778) - Bowman

HOUSE RESOLUTION

HR 1117, (3-10-05, Page 587) - Wright (137)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-THIRD DAY, TUESDAY, APRIL 12, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

Almighty God, we thank You for the gift of springtime. We thank You for the sunlight which calls us into the work of this day, for the cool air which stirs our energy, and for the sight of green leaves announcing Your ongoing creation of new life everywhere.

Lord God, throughout the work of this day, may the vitality of spring remain alive in us. By Your creative power, may new possibilities, new vision and new insights come alive in the members of this body. May all our work, our deliberations, our discussions and finally our voting advance justice and equity among the people of our state. As Your power supports the new life all around us, so may the outcome of our work support and protect the life of all the people.

We pray to You, our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amy Miller, Amber Sandner, Kayla Birke, Sydney Checkett, Jenita Checkett, Josh Ebbesmeyer, Simone' Page, Paul Turner, Jaelyn Bergmann, Stanley Wright, Sa'Chai Long, Britton Francis, Meghan Dye, Chelsea Young, Ulises Orozco, Cierra Joy, Savannah Joy, Jesse Joy, Joshua Bayless, Drew Vines, Ashley Guinn, Jillian Krings, Alana Schlemmer, Allison Smith, Patrick Timothy Green, Ryan O'Toole and Corbin Bridge.

The Journal of the fifty-second day was approved as printed.

SPECIAL RECOGNITION

Dr. Wynn Volkert of Columbia, Missouri was introduced by Representative Baker (25) and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2033 - Representative Parson
House Resolution No. 2034
through
House Resolution No. 2050 - Representative Kraus

House Resolution No. 2051 - Representative Page
House Resolution No. 2052 - Representative Liese
House Resolution No. 2053
through
House Resolution No. 2055 - Representative Wallace
House Resolution No. 2056 - Representative Schaaf
House Resolution No. 2057 - Representatives Rupp and Dempsey

PERFECTION OF HOUSE BILL

HCS HB 209, relating to business license tax, was taken up by Representative Cooper (120).

Representative Bruns offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 209, Page 7, Section 92.089, Line 28, by inserting after the word “**with**” the following:

“**subdivision (1) of subsection 10 of section 92.086 or**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 209, Page 7, Section 92.089, Line 28, by inserting after the word “**with**” the following:

“**subdivisions (1) and (2) of subsection 10 of section 92.086 or**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Stevenson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 209, Section 92.086, Page 4, Line 52, by inserting after the word, “companies” the following, “**excluding the collection fee authorized in subsection 5**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 2** was adopted.

Representative Smith (118) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 209, Section 92.086, Page 5, Line 82, by deleting said line.

Representative Salva offered **House Amendment No. 1 to House Amendment No. 3**.

Representative Cooper (120) raised a point of order that **House Amendment No. 1 to House Amendment No. 3** is not a true amendment to the amendment.

The Chair ruled the point of order well taken.

Representative Smith (118) moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Aull	Baker 25	Black	Bland	Bowman
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	Dusenberg	El-Amin	Fares
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Icet
Johnson 47	Johnson 90	Jolly	Jones	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Moore	Munzlinger
Oxford	Page	Pearce	Robinson	Roorda
Rucker	Salva	Sater	Schneider	Schoemehl
Selby	Shoemyer	Skaggs	Smith 118	Spreng
Storch	Swinger	Threlkeld	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Yates	Young	Zweifel

NOES: 078

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Brown 30	Bruns	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Jackson	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Muschany	Myers	Nance	Nieves
Parson	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Schaaf	Schad
Schlottach	Self	Smith 14	Stevenson	St. Onge

Sutherland	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Mr Speaker		

PRESENT: 005

Byrd	Johnson 61	Nolte	Stefanick	Wright-Jones
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ABSENT WITH LEAVE: 004

Bean	Boykins	Marsh	Parker
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VACANCIES: 001

Representative Burnett offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 209, Page 7, Section 92.089, Lines 29 through 32, by deleting immediately after the word, "2006", the following:

"If any municipality, prior to August 28, 2005, has brought litigation or caused an audit of back taxes for the nonpayment by a telecommunications company of municipal business licenses taxes, it shall immediately dismiss such lawsuit with prejudice and shall cease and desist from continuing any audit."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) raised a point of order that **House Amendment No. 4** amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Villa offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

*House Substitute Amendment No. 1
for
House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 209, Page 1, Section 71.675, by deleting all of said section; and

Further amend said bill, Pages 6 through 7, Section 92.089, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Villa moved that **House Substitute Amendment No. 1 for House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fares	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 90	Jolly	Jones
Kratky	Kuessner	Lampe	LeVota	Liese
Loehner	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Rucker
Schoemehl	Selby	Shoemyer	Skaggs	Smith 118
Spreng	Storch	Swinger	Villa	Vogt
Wagner	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 087

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Brown 30	Bruns	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Smith 14
Stefanick	Stevenson	St. Onge	Sutherland	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 003

Byrd	Johnson 61	Threlkeld
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ABSENT WITH LEAVE: 008

Bean	Black	Boykins	Johnson 47	Marsh
Parker	Salva	Walton		

VACANCIES: 001

Representative Burnett moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

HCS HB 209, as amended, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Elizabeth Turner, Alana Thurston, Elizabeth Thurston, Caleb Piontek and Emily Piontek.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2058 - Representative Bivins
House Resolution No. 2059
and
House Resolution No. 2060 - Representative Guest
House Resolution No. 2061 - Representative Moore
House Resolution No. 2062 - Representative Wright-Jones
House Resolution No. 2063
through
House Resolution No. 2065 - Representative Pratt, et al.
House Resolution No. 2066 - Representative Dethrow
House Resolution No. 2067 - Representative Johnson (61)
House Resolution No. 2068 - Representative Whorton
House Resolution No. 2069 - Representative Fisher
House Resolution No. 2070
through
House Resolution No. 2083 - Representative Whorton
House Resolution No. 2084 - Representative Harris (23)
House Resolution No. 2085 - Representative Franz
House Resolution No. 2086 - Representative Kratky
House Resolution No. 2087 - Representative Schoemehl
House Resolution No. 2088
through
House Resolution No. 2092 - Representative Shoemyer
House Resolution No. 2093 - Representative Harris (23)

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HCS SCS SBs 202, 33, 45, 183 & 217** and **SS SB 539** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

PERFECTION OF HOUSE BILLS

HB 344, relating to county health centers, was taken up by Representative Baker (123).

Representative Bringer offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Bill No. 344, Page 1, Section 205.010, Line 11, by inserting after said line the following:

"198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining apartments for seniors that provide, at a minimum, housing, food services, and emergency call buttons in any county of the third classification without a township form of government and with more than twenty-eight thousand two hundred inhabitants but fewer than twenty-eight thousand three hundred inhabitants or any county of the third classification without a township form of government and with more than nine thousand five hundred fifty but fewer than nine thousand six hundred fifty inhabitants"; and

Further amend Line Two of the Title, by deleting said line and inserting in lieu thereof the following:

"health centers and nursing home districts."; and

Further amend said title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Bringer, **House Amendment No. 1** was adopted.

On motion of Representative Baker (123), **HB 344, as amended**, was ordered perfected and printed.

HCS HB 209, as amended, relating to business license tax, was again taken up by Representative Cooper (120).

Representative Storch requested a division of the question on **HCS HB 209, as amended.**

The division of the question was denied by the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb

Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Smith 14
Smith 118	Stefanick	Stevenson	Sutherland	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 063

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 001

Wallace

ABSENT WITH LEAVE: 007

Bean	Kratky	Marsh	Parker	St. Onge
Walton	Wilson 130			

VACANCIES: 001

On motion of Representative Cooper (120), **HCS HB 209, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS HB 209, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 1, relating to appropriations, was taken up by Representative Lager.

HB 1 was laid over.

HCS HB 2, relating to appropriations, was taken up by Representative Lager.

HCS HB 2 was laid over.

HCS HB 3, relating to appropriations, was taken up by Representative Lager.

HCS HB 3 was laid over.

HCS HB 4, relating to appropriations, was taken up by Representative Lager.

HCS HB 4 was laid over.

HCS HB 5, relating to appropriations, was taken up by Representative Lager.

HCS HB 5 was laid over.

HCS HB 6, relating to appropriations, was taken up by Representative Lager.

HCS HB 6 was laid over.

HCS HB 7, relating to appropriations, was taken up by Representative Lager.

HCS HB 7 was laid over.

HCS HB 8, relating to appropriations, was taken up by Representative Lager.

HCS HB 8 was laid over.

HCS HB 9, relating to appropriations, was taken up by Representative Lager.

HCS HB 9 was laid over.

HCS HB 10, relating to appropriations, was taken up by Representative Lager.

HCS HB 10 was laid over.

HCS HB 11, relating to appropriations, was taken up by Representative Lager.

HCS HB 11 was laid over.

HB 12, relating to appropriations, was taken up by Representative Lager.

HB 12 was laid over.

HB 13, relating to appropriations, was taken up by Representative Lager.

HB 13 was laid over.

HB 1, relating to appropriations, was again taken up by Representative Lager.

HB 1 was laid over.

HCS HB 2, relating to appropriations, was again taken up by Representative Lager.

Speaker Jetton resumed the Chair.

HCS HB 2 was laid over.

HCS HB 4, relating to appropriations, was taken up by Representative Lager.

Representative Skaggs offered **House Amendment No. 1**.

Representative Goodman raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HCS HB 4 was laid over.

HCS HB 2, relating to appropriations, was again taken up by Representative Lager.

Speaker Pro Tem Bearden resumed the Chair.

Representative Donnelly offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 6, by deleting "842,752" and inserting "759,000" and adjusting section and bill totals accordingly.

Representative Donnelly moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 47	Johnson 61
Johnson 90	Jolly	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Moore	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schneider	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 088

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dusenberg	Emery	Ervin	Faith

Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	May	McGhee
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Self
Smith 14	Smith 118	Stefanick	Stevenson	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Dixon	Kratky	Marsh	Parker
St. Onge	Walton	Wilson 130		

VACANCIES: 001

HCS HB 2 was laid over.

HCS HB 10, relating to appropriations, was again taken up by Representative Lager.

Representative Donnelly offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 10, Page 2, Section 10.010, Line 6, by deleting "7,605,729" and inserting "6,849,865"; and

Further amend said bill, Page 25, Section 10.605, Line 6, by deleting "1,956,425" and inserting "1,761,994" and adjusting section and bill totals accordingly.

Representative Donnelly moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng

Storch	Swinger	Villa	Vogt	Wagner
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

NOES: 091

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Smith 14	Smith 118
Stefanick	Stevenson	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Dixon	Kratky	Marsh	Parker
St. Onge	Walton	Wilson 130		

VACANCIES: 001

HCS HB 10 was laid over.

HCS HB 2, relating to appropriations, was again taken up by Representative Lager.

Representative Barnitz offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2, Page 1, Section 2.005, Line 3, by adding after “Equipment” the following:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 2, Section 2.015, Line 5, by adding after “Equipment” the following:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 4, Section 2.065, Line 3, by adding after “Equipment” the following:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said section, Line 11, by adding after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation"; and

Further amend said section, Line 15, by adding after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 12, Section 2.300, Line 3, by adding after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation".

On motion of Representative Barnitz, **House Amendment No. 2** was adopted.

HCS HB 2, as amended, was laid over.

HCS HB 3, relating to appropriations, was again taken up by Representative Lager.

Representative Barnitz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 3, Page 1, Section 3.005, Line 5, by adding after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 1, Section 3.010, Line 5, by adding after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation".

On motion of Representative Barnitz, **House Amendment No. 1** was adopted.

HCS HB 3, as amended, was laid over.

HCS HB 4, relating to appropriations, was again taken up by Representative Lager.

Representative Henke offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 4, Page 15, Section 4.310, Line 4, by deleting "\$4,700,500" and inserting "\$525,878" and adjust section and bill totals accordingly.

Representative Henke moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 030

Aull	Baker 25	Baker 123	Barnitz	Boykins
Bringer	Burnett	Chinn	Dougherty	Ervin
Goodman	Harris 23	Harris 110	Henke	Kuessner
Lampe	LeVota	Munzlinger	Nance	Parson
Pollock	Robinson	Rucker	Shoemyer	Stevenson
Swinger	Wells	Whorton	Witte	Wright-Jones

NOES: 117

Avery	Bearden	Behnen	Bivins	Black
Bland	Bowman	Brooks	Brown 30	Brown 50
Bruns	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Donnelly
Dusenberg	El-Amin	Emery	Faith	Fares
Fisher	Flook	Franz	Fraser	Guest
Haywood	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Liese	Lipke	Loehner
Low 39	May	McGhee	Meadows	Meiners
Moore	Muschany	Nieves	Nolte	Oxford
Page	Pearce	Phillips	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Roorda	Ruestman	Rupp	Salva	Sander
Sater	Schad	Schlottach	Schoemehl	Selby
Self	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Wasson	Weter	Wildberger	Wilson 119	Wood
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

PRESENT: 001

Myers

ABSENT WITH LEAVE: 014

Bean	Dixon	George	Johnson 47	Kratky
Lowe 44	Marsh	Parker	Schaaf	Schneider
St. Onge	Walsh	Walton	Wilson 130	

VACANCIES: 001

Representative Lampe offered **House Amendment No. 3.***House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 4, Page 15, Section 4.310, Line 4, by deleting "4,700,500" and adjusting section and bill totals accordingly.

Representative Lampe moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Barnitz offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 4, Page 2, Section 4.020, Line 3, by inserting immediately after the word "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 12, Section 4.245, Line 3, by inserting immediately after the word "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation".

On motion of Representative Barnitz, **House Amendment No. 4** was adopted.

HCS HB 4, as amended, was laid over.

On motion of Representative Dempsey, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 4, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Henke offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 4, Page 15, Section 4.310, Line 4, by deleting "\$4,700,500" and inserting "\$4,174,622"; and

Further amend said bill, Section 4.310, by deleting Line 5; and

Further amend said bill, by deleting Section 4.315 in its entirety and adjust sections and bill totals accordingly.

Representative Henke moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

HCS HB 4, as amended, was laid over.

HCS HB 5, relating to appropriations, was again taken up by Representative Lager.

Representative Storch offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 5, Page 2, Section 5.010, Line 6, by deleting "2,200,000" and inserting "2,175,000" and adjusting section and bill totals accordingly.

On motion of Representative Storch, **House Amendment No. 1** was adopted.

HCS HB 5, as amended, was laid over.

HCS HB 10, relating to appropriations, was again taken up by Representative Lager.

Representative Storch offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 10, Page 24, Section 10.600, Line 7, by inserting immediately after said line the following:

"For the purpose of funding St. Louis Cord Blood Bank at Cardinal Glennon
Children's Hospital in St. Louis, Missouri
From General Revenue Fund \$25,000"; and

Adjust section and bill totals accordingly.

On motion of Representative Storch, **House Amendment No. 2** was adopted.

HCS HB 10, as amended, was laid over.

HCS HB 5, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Whorton offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 5, Page 2, Section 5.030, Line 6, by deleting "\$6,528,661" and inserting "\$5,935,672"; and

Further amend Section 5.030, Page 3, Line 24, by deleting "\$326,951" and inserting "\$297,255" and adjust section and bill totals accordingly.

On motion of Representative Whorton, **House Amendment No. 2** was adopted.

HCS HB 5, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Whorton offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 10, Page 34, Section 10.725, Line 4, by deleting "\$10,102,030" and inserting "\$10,724,715" and adjust section and bill totals accordingly.

On motion of Representative Whorton, **House Amendment No. 3** was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean
Walton

Kratky
Wilson 130

Marsh

Parker

Sander

VACANCIES: 001

HCS HB 10, as amended, was laid over.

HCS HB 5, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Barnitz offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 5, Page 1, Section 5.005, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 2, Section 5.010, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 2, Section 5.015, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 2, Section 5.030, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 4, Section 5.060, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 5, Section 5.070, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 9, Section 5.160, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 10, Section 5.185, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 10, Section 5.190, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 11, Section 5.210, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 12, Section 5.220, Line 4, by deleting “thirty percent (30%)” and inserting “twenty-five percent (25%)”.

On motion of Representative Barnitz, **House Amendment No. 3** was adopted.

HCS HB 5, as amended, was laid over.

HCS HB 6, relating to appropriations, was again taken up by Representative Lager.

Representative Shoemyer offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Bringer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 6, Page 11, Section 6.211, by deleting said section in its entirety and adjust bill totals accordingly.

Representative Bringer moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Baker 25	Barnitz	Behnen	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fraser	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hughes	Johnson 61	Johnson 90	Jolly
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 091

Avery	Baker 123	Bearden	Bivins	Black
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hubbard	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sater	Schaaf	Schad
Schlottach	Self	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	George	Kratky	Marsh	Parker
Sander	Schneider	Walton	Wilson 130	

VACANCIES: 001

Representative Quinn offered **House Amendment No. 3.***House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 6, Page 22, Section 6.600, Line 6, by deleting "136,722,241" and inserting "111,722,241" and adjusting the section and bill totals accordingly.

Representative Quinn moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 026

Bowman	Chinn	Cunningham 86	Day	Emery
Fisher	Guest	Hoskins	Hubbard	Hunter
Ice	Lembke	Loehner	Moore	Munzlinger
Nance	Parson	Quinn	Rector	Robb
Sater	Schad	Smith 118	Wallace	Wright 137
Yates				

NOES: 125

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Boykins	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Curls	Darrough
Daus	Davis	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Ervin	Faith	Fares	Flook	Franz
Fraser	George	Goodman	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hughes	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	LeVota	Liese	Lipke	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Muschany	Myers	Nieves	Nolte	Oxford
Page	Pearce	Phillips	Pollock	Portwood
Pratt	Richard	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Schaaf	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner

Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Young	Zweifel	Mr Speaker

PRESENT: 004

Brooks	Brown 50	El-Amin	Johnson 61
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ABSENT WITH LEAVE: 007

Bean	Marsh	Parker	Roark	Sander
Walton	Wilson 130			

VACANCIES: 001

Representative Barnitz offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 6, Page 1, Section 6.005, Line 4, by deleting “thirty-three percent (33%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 2, Section 6.010, Line 5, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 3, Section 6.035, Line 4, by deleting “thirty-three percent (33%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 4, Section 6.040, Line 5, by deleting “thirty-three percent (33%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 5, Section 6.085, Line 4, by deleting “thirty-three percent (33%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 7, Section 6.100, Line 4, by deleting “thirty-three percent (33%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 8, Section 6.110, Line 4, by deleting “thirty-three percent (33%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 8, Section 6.115, Line 18, by deleting “thirty-three percent (33%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 9, Section 6.125, Line 4, by deleting “thirty-three percent (33%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 10, Section 6.150, Line 4, by deleting “thirty-three percent (33%)” and inserting “twenty-five percent (25%)”; and

Further amend said bill, Page 11, Section 6.205, Line 5, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 11, Section 6.210, Line 3 by adding the following after “Equipment”:

“, provided that not more than fifty percent (50%) flexibility is allowed between each appropriation”.

On motion of Representative Barnitz, **House Amendment No. 4** was adopted.

HCS HB 6, as amended, was laid over.

COMMITTEE REPORTS

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 572**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SCR 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SB 42**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 192**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SS SJR 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SCS SBs 103 & 115**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 318**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 394**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 323**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 518**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SB 286**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Higher Education, to which was referred **SB 526**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 279**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 289**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 789**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 257**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 258**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 259**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 260**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 307**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 453**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 490**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 507**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 665**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 100**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 178**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 280**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 347**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Roark reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SB 71**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 813**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 832**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 880**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **SCS SB 246**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 68**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 189**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 222**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 267**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 196**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 272**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 291**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 498**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 500 & 533**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 568**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 617, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 671**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 697**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 721**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 804**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 824**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 827**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 853**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 863**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 866**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 21**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 24**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 70**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 99**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 131**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 133**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 149**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 211**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 261**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 266**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 298**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 299**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 302**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 501**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 516**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

The following member's presence was noted: Parker.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, April 13, 2005.

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 14, 2005, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 211, HB 687,
HB 798, SB 171, SCS SB 355

CHILDREN AND FAMILIES

Wednesday, April 13, 2005, 9:30 a.m. Hearing Room 7.

Executive session only. AMENDED

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 13, 2005, 6:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: SCS SB 170, SB 192

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: SB 174, SB 288, SB 364,
SCS SB 450, SCS SB 502, SCS SB 496

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 831, HB 842, HB 823

HEALTH CARE POLICY

Wednesday, April 13, 2005, House Chamber south side gallery upon morning recess.

Executive session may follow.

Public hearing to be held on: SB 162

HEALTH CARE POLICY

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 770, HB 805

JOINT COMMITTEE ON CORRECTIONS

Monday, April 18, 2005, 8:00 a.m. Hearing Room 1.

Election of Officers, Department of Corrections presentation, other business.

JUDICIARY

Wednesday, April 13, 2005, House Chamber south side gallery upon morning recess.

Executive session. Continuation from Tuesday's session.

LOCAL GOVERNMENT

Thursday, April 14, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. Work session on SS SCS SB 210.

Public hearing to be held on: SS SCS SB 168

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 13, 2005, 12:00 p.m. Hearing Room 1. AMENDED

Public hearings to be held on: HB 729, HB 847, HB 785

Executive session may be held on: HB 729, SCS SB 28, SB 177, HB 482

RETIREMENT

Wednesday, April 13, 2005, 1:00 p.m. Hearing Room 7.

Executive session will follow. AMENDED

Public hearings to be held on: SB 357, SB 401

RULES

Wednesday, April 13, 2005, 6:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HR 1642, HR 1682, HB 832, HB 572,
HCS SCS SB 246, SCS SB 68, SCS SB 222, SCS SB 267, SB 518,
SCR 2, SS SJR 1, SB 280, SB 178, SB 507, SB 453, HCS SB 307,
HCS SCS SB 260, HCS SCS SB 100

SMALL BUSINESS

Wednesday, April 13, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 569

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 13, 2005, House Chamber right side gallery upon morning recess.

Executive session.

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 14, 2005, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 957, HB 924, HB 972

TRANSPORTATION

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 223, HB 653, HB 469,
SCS SBs 221, 250 & 256, SCS SB 247, SCS SB 390,
SCS SB 372, SCS SB 227, SB 488

TRANSPORTATION

Wednesday, April 13, 2005, 1:30 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SCS SB 354, SCS SB 374, SB 378

UTILITIES

Wednesday, April 13, 2005, Hearing Room 5 upon morning recess.

Executive session may occur.

Public hearings to be held on: HCR 33, HCR 22, HB 758,
SCS SB 182, SB 122, SCS SB 6, SB 265

VETERANS

Wednesday, April 13, 2005, 8:00 a.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 784, HB 786, HJR 22,
SCS SB 252, SB 304

WAYS AND MEANS

Wednesday, April 13, 2005, House Chamber right side gallery upon morning recess.

Executive session.

WAYS AND MEANS

Wednesday, April 13, 2005, Hearing Room 5 upon afternoon recess.

Possible Executive session.

Public hearings to be held on: HB 936, HB 915, HB 952, HB 967, HB 774

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 13, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 908, HB 828, HB 881, SCS SB 319, SB 367

HOUSE CALENDAR

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 13, 2005

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- | | | |
|---|------------------------------|--|
| 1 | HB 1 - Lager | (12 hours total debate on Perfection for HBs 1 through 13) |
| 2 | HCS HB 2, as amended - Lager | (12 hours total debate on Perfection for HBs 1 through 13) |
| 3 | HCS HB 3, as amended - Lager | (12 hours total debate on Perfection for HBs 1 through 13) |
| 4 | HCS HB 4, as amended - Lager | (12 hours total debate on Perfection for HBs 1 through 13) |
| 5 | HCS HB 5, as amended - Lager | (12 hours total debate on Perfection for HBs 1 through 13) |

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6	HCS HB 6, as amended - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
7	HCS HB 7 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
8	HCS HB 8 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
9	HCS HB 9 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
10	HCS HB 10, as amended - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
11	HCS HB 11 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
12	HB 12 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)
13	HB 13 - Lager	(12 hours total debate on Perfection for HBs 1 through 13)

HOUSE BILLS FOR PERFECTION

1	HB 376 - Guest	
2	HCS HB 576 - Flook	
3	HCS HB 286 - Bland	
4	HCS HB 519, as amended - Roark	(3 hours debate on Perfection)
5	HCS HB 474 - Yates	
6	HCS HB 628 - Byrd	
7	HCS HB 532 - Spreng	
8	HCS HB 255 - Cunningham (86)	
9	HCS HB 387 - Byrd	
10	HCS HB 525 - May	
11	HB 530 - Moore	
12	HCS HB 353 - Lipke	(2 hours debate on Perfection)
13	HB 205 - Salva	
14	HCS HB 49 & 50 - Jolly	
15	HCS HB 36 - Davis	
16	HCS HB 400 - Yates	
17	HB 320 - Muschany	
18	HB 417 - Yates	
19	HCS HB 440 - Pratt	
20	HCS HB 649 - Fares	

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 276 - Cunningham (86)

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HB 410 - Flook
- 3 HCS HB 461 - Sutherland
- 4 HB 539 - Icet
- 5 HB 344 - Baker (123)
- 6 HCS HB 209 - Cooper (120)

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILL FOR THIRD READING - CONSENT

(4/08/05)

SCS SB 69, E.C. - Pratt

SENATE BILL FOR THIRD READING

HCS SCS SB 270, (Fiscal Review 4-11-05), E.C. - Richard

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 9, (2-17-05, Page 351) - Bivins
- 2 HCR 15, (3-03-05, Pages 487-488) - Baker (123)
- 3 HCR 20, (3-09-05, Page 553) - Rupp
- 4 HCS HCR 24, (3-30-05, Pages 777-778) - Bowman

HOUSE RESOLUTION

HR 1117, (3-10-05, Page 587) - Wright (137)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 13, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Michael J. Reall, President of the Columbia, Missouri Stake of The Church of Jesus Christ of Latter-day Saints.

Our Father in Heaven, we bow our heads in reverence of this opportunity to approach Thee in the fulfillment of our responsibilities to the people of Missouri this day.

We pray that our conscience and that the prompting of the Holy Spirit will guide our thoughts and actions in our responsibility to assist in Thy work to bring to pass the immortality and eternal life of all mankind.

In the name of Jesus Christ. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joel Smith, Elizabeth Stack, Andrew Stack, Stephen Stewart, Cindy Herbst, Jackson Herbst, Tessa Herbst, Maddison Hicks, Grace Willis, Onnie Bigg, Janika Hazelbaker, Alan Schieber, Gina Schieber and Kelli Schieber.

The Journal of the fifty-third day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2094	-	Representatives Dusenberg and Pratt
House Resolution No. 2095	-	Representative Fraser
House Resolution No. 2096	-	Representative Bivins, et al.
House Resolution No. 2097	-	Representative Dusenberg
House Resolution No. 2098	-	Representative Fraser
House Resolution No. 2099		
through		
House Resolution No. 2112	-	Representative Hobbs
House Resolution No. 2113		
and		
House Resolution No. 2114	-	Representative Fares
House Resolution No. 2115	-	Representative Kratky

House Resolution No. 2116 - Representative Haywood
House Resolution No. 2117 - Representatives Bowman and Stefanick

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 7, relating to appropriations, was taken up by Representative Lager.

Representative Barnitz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 7, Page 2, Section 7.010, Line 5, by inserting after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 11, Section 7.175, Line 4, by deleting "fifty percent (50%)" and inserting "twenty-five (25%)" ; and

Further amend said bill, Page 18, Section 7.705, Line 5, by inserting after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 20, Section 7.805, Line 5, by inserting after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 21, Section 7.820, Line 5, by deleting "fifty percent (50%)" and inserting "twenty-five (25%)" ; and

Further amend said bill, Page 21, Section 7.825, Line 4, by inserting after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 21, Section 7.830, Line 4, by inserting after "Equipment" the following:

" , provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation".

On motion of Representative Barnitz, **House Amendment No. 1** was adopted.

HCS HB 7, as amended, was laid over.

HCS HB 8, relating to appropriations, was taken up by Representative Lager.

Representative Barnitz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 8, Section 8.010, Line 4, by adding the following after “Services”:

“Personal Service and/or Expense and Equipment, provided that more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 17, Section 8.275, Line 3, by adding the following after “Equipment”:

“, provided that more than twenty-five percent (25%) flexibility is allowed between each appropriation”.

On motion of Representative Barnitz, **House Amendment No. 1** was adopted.

HCS HB 8, as amended, was laid over.

HCS HB 9, relating to appropriations, was taken up by Representative Lager.

Representative Barnitz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 9, Page 1, Section 9.005, Line 3, by adding the following after “Equipment”:

“, provided that not more than one percent (1%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 1, Section 9.010, Line 5, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 3, Section 9.040, Line 3, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 5, Section 9.090, Line 4, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 6, Section 9.150, Line 6, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 6, Section 9.215, Line 4, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 7, Section 9.240, Line 4, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 8, Section 9.260, Line 3, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 8, Section 9.275, Line 6, by adding the following after “Equipment”:

“, provided that not more than fifty percent (50%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 9, Section 9.280, Line 4, by adding the following after “Equipment”:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”.

On motion of Representative Barnitz, **House Amendment No. 1** was adopted.

HCS HB 9, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was taken up by Representative Lager.

HCS HB 10, as amended, was laid over.

HCS HB 5, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Skaggs offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 5, Section 5.520, Page 23, Line 5, by deleting “\$207,151,703” and inserting in lieu thereof “\$206,870,101”; and

Further amend Section 5.530, Page 23, Line 5, by deleting “\$317,571,456” and inserting in lieu thereof “\$317,289,854”; and

Further amend section and bill totals accordingly.

Representative Skaggs moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 075

Aull	Baker 25	Baker 123	Barnitz	Bivins
Bland	Bowman	Boykins	Bringer	Brooks
Brown 30	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Corcoran	Curls	Darrough	Dethrow
Donnelly	El-Amin	Emery	Ervin	Faith
Flook	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hughes	Jackson	Johnson 61
Johnson 90	Jolly	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nance	Nolte	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Self	Shoemyer	Skaggs
Spreng	St. Onge	Storch	Swinger	Threlkeld
Wagner	Walsh	Walton	Wildberger	Wilson 119
Wilson 130	Witte	Wright-Jones	Young	Zweifel

NOES: 078

Avery	Bearden	Behnen	Black	Bruns
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Dempsey
Denison	Dixon	Dougherty	Dusenberg	Fisher
Franz	Goodman	Guest	Hobbs	Hubbard
Hunter	Icet	Johnson 47	Jones	Kelly
Kingery	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nieves	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Smith 14	Smith 118	Stefanick	Stevenson	Sutherland
Tilley	Viebrock	Villa	Wallace	Wasson
Wells	Weter	Whorton	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 005

Brown 50	Fares	Fraser	Vogt	Yaeger
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ABSENT WITH LEAVE: 004

Bean	Marsh	Parker	Rector
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VACANCIES: 001

HCS HB 5, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Walsh offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 10, Page 24, Section 10.285, by deleting said section and inserting the following new section:

"Section 10.285. To the Department of Mental Health
 For the Division of Mental Retardation-Developmental Disabilities
 For the purpose of funding Bellefontaine Habilitation Center
 Personal Services, Expense and Equipment, and/or Purchase of Community Services,
 provided that not more than fifteen percent (15%) flexibility is allowed between each
 appropriation
 From General Revenue Fund \$17,367,471
 From Federal Funds 1,841,264

For the purpose of paying overtime of nonexempt state employees as required by Section 105.935,
 RSMo, and/or for otherwise authorized Personal Service expenditures in lieu of such
 overtime payments
 From General Revenue Fund 705,128
 From Federal Funds 34,592

For the purpose of funding Higginsville Habilitation Center	
Personal Services, Expense and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation	
From General Revenue Fund	9,095,783
From Federal Funds	252,483
For the purpose of paying overtime of nonexempt state employees as required by Section 105.935, RSMo, and/or for otherwise authorized Personal Service expenditures in lieu of such overtime payments	
From General Revenue Fund	441,546
From Federal Funds	70,932
For the purpose of funding Northwest Community Services	
Personal Services, Expense and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation	
From General Revenue Fund	2,294,659
From Federal Funds	677,191
For the purpose of funding Marshall Habilitation Center	
Personal Services, Expense and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation	
From General Revenue Fund	20,381,705
From Federal Funds	2,047,173
For the purpose of paying overtime of nonexempt state employees as required by Section 105.935, RSMo, and/or for otherwise authorized Personal Service expenditures in lieu of such overtime payments	
From General Revenue Fund	792,693
From Federal Funds	48,884
For the purpose of funding Nevada Habilitation Center	
Personal Services, Expense and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation	
From General Revenue Fund	9,407,011
For the purpose of paying overtime of nonexempt state employees as required by Section 105.935, RSMo, and/or for otherwise authorized Personal Service expenditures in lieu of such overtime payments	
From General Revenue Fund	6,159
For the purpose of funding St. Louis Developmental Disabilities Treatment Center	
Personal Services, Expense and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation	
From General Revenue Fund	16,508,757
From Federal Funds	1,376,982
For the purpose of paying overtime of nonexempt state employees as required by Section 105.935, RSMo, and/or for otherwise authorized Personal Service expenditures in lieu of such overtime payments	
From General Revenue Fund	373,616
From Federal Funds	11,797

To the Board of Public Buildings
 For the Department of Mental Health
 For the operation and maintenance of St Louis Developmental Disabilities Treatment Center
 improvements
 From General Revenue Fund 84,861

For the purpose of funding Southeast Missouri Residential Services
 Personal Services, Expense and Equipment, and/or Purchase of Community Services,
 provided that not more than fifteen percent (15%) flexibility is allowed between each
 appropriation
 From General Revenue Fund 5,454,371
 From Federal Funds 111,332

For the purpose of paying overtime of nonexempt state employees as required by Section 105.935,
 RSMo, and/or for otherwise authorized Personal Service expenditures in lieu of such
 overtime payments
 From General Revenue Fund 293,294
 From Federal Funds 5,004
 Total (Not to exceed 3,296.30 F.T.E.) \$89,684,688”.

Representative Walsh moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Byrd	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schneider	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright 137
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 089

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander

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Sater	Schaaf	Schad	Schlottach	Self
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Flook	Marsh	Parker
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VACANCIES: 001

HCS HB 10, as amended, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Collin Adams, Drew Adams, Sam Wilcoxon and Alex Wilcoxon.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2118	-	Representative Wells
House Resolution No. 2119	-	Representative Schad
House Resolution No. 2120		
through		
House Resolution No. 2124	-	Representative Lager
House Resolution No. 2125	-	Representative Guest
House Resolution No. 2126	-	Representative Vogt
House Resolution No. 2127	-	Representative Kuessner
House Resolution No. 2128		
through		
House Resolution No. 2136	-	Representative Stevenson
House Resolution No. 2137		
through		
House Resolution No. 2150	-	Representative Muschany
House Resolution No. 2151		
through		
House Resolution No. 2164	-	Representative Smith (118)
House Resolution No. 2165	-	Representative Schoemehl
House Resolution No. 2166		
and		
House Resolution No. 2167	-	Representative Hunter

HOUSE CONCURRENT RESOLUTIONS

HCS HCR 24, relating to personal finance, was taken up by Representative Bowman.

On motion of Representative Bowman, **HCS HCR 24** was adopted.

On motion of Representative Bowman, **HCR 24, as amended by the HCS**, was adopted.

HCR 20, relating to Pregnancy and Infant Loss Remembrance Day, was taken up by Representative Rupp.

On motion of Representative Rupp, **HCR 20** was adopted.

HCR 9, relating to the social security administration, was taken up by Representative Bivins.

On motion of Representative Bivins, **HCR 9** was adopted.

HCR 15, relating to inspection of trucks, was taken up by Representative Baker (123).

On motion of Representative Baker (123), **HCR 15** was adopted.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Dethrow offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 10, Page 17, Section 10.210, Line 7, by deleting "\$200,000 shall be" and also by deleting Lines 8 through 11; and

Further amend said section, Line 12, by deleting "\$79,254,391" and inserting "\$79,054,391" and adjust section and bill totals accordingly.

On motion of Representative Dethrow, **House Amendment No. 5** was adopted.

HCS HB 10, as amended, was laid over.

HCS HB 7, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Dethrow offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 7, Page 8, Section 7.095, by inserting immediately said section the following new section:

“Section 7.097. To the Department of Economic Development

For the purpose of providing research funding to create an innovative model for specific persons with autism through a contract with a Southeast Missouri not-for-profit organization concentrating on work force transition skills related to the maximization of giftedness within the autistic population

From General Revenue Fund \$200,000”; and

Adjust bill totals accordingly.

On motion of Representative Dethrow, **House Amendment No. 2** was adopted.

HCS HB 7, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Lembke offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 10, Page 16, Section 10.200, Line 6, by deleting “8,068,058” and inserting “6,068,058” and adjusting section and bill total accordingly.

On motion of Representative Lembke, **House Amendment No. 6** was adopted by the following vote:

AYES: 112

Aull	Avery	Baker 25	Barnitz	Bearden
Behnen	Bivins	Bowman	Boykins	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Cooper 120	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Faith	Fisher	Franz
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hunter	Ice	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
May	McGhee	Meadows	Meiners	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Ruestman	Rupp	Sander	Sater
Schad	Selby	Self	Shoemyer	Smith 14
Smith 118	Spreng	Stevenson	St. Onge	Storch
Threlkeld	Wagner	Wallace	Wasson	Wells
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Zweifel	Mr Speaker			

NOES: 035

Baker 123	Black	Bland	Chappelle-Nadal	Cooper 155
Curls	Daus	El-Amin	Ervin	Flook
Fraser	George	Hoskins	Hubbard	Hughes
Johnson 47	Low 39	Moore	Oxford	Robinson
Salva	Schaaf	Schlottach	Schneider	Schoemehl
Skaggs	Stefanick	Sutherland	Tilley	Viebrock
Villa	Vogt	Walsh	Weter	Young

PRESENT: 010

Brooks	Corcoran	Darrough	Fares	Haywood
Roorda	Rucker	Swinger	Walton	Wildberger

ABSENT WITH LEAVE: 005

Bean	Kelly	Marsh	Parker	Robb
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VACANCIES: 001

HCS HB 10, as amended, was laid over.

HCS HB 11, relating to appropriations, was taken up by Representative Lager.

Representative Lembke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 11, Page 26, Section 11.495, Line 4, by deleting "8,000,000" and inserting "10,000,000" and adjusting bill total accordingly.

Speaker Jetton assumed the Chair.

On motion of Representative Lembke, **House Amendment No. 1** was adopted.

HCS HB 11, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Storch offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 10, Page 33, Section 10.715, Line 5, by deleting "16,959,414" and inserting "14,613,414"; and

Further amend Section 10.715, by inserting after Line 7 the following:

"For the purpose of funding Non-medicaid Eligible Consumer - Directed Personal
Assistance Services program
Expense and Equipment
From General Revenue Fund \$2,346,000".

On motion of Representative Storch, **House Amendment No. 7** was adopted.

HCS HB 10, as amended, was laid over.

HCS HB 5, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Shoemyer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 5, Page 14, Section 5.290, Line 5, by deleting "12,000,000" and inserting "10,000,000" and adjust bill totals accordingly.

Representative Shoemyer moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

HCS HB 5, as amended, was laid over.

HB 12, relating to appropriations, was taken up by Representative Lager.

Representative Johnson (61) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 12, Page 17, Section 12.500, Line 10, by deleting all of said line and adjusting section and bill totals accordingly.

On motion of Representative Johnson (61), **House Amendment No. 1** was adopted.

HB 12, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Johnson (61) offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 10, Page 32, Section 10.705, Line 7, by deleting “18,495,089” and replacing with “18,595,942 and adjusting section and bill totals accordingly.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Johnson (61), **House Amendment No. 8** was adopted.

HCS HB 10, as amended, was laid over.

HB 12, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Harris (23) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 12, Page 2, Section 12.005, Line 2, by inserting immediately after the word “equipment”:

“provided that the Governor shall do an analysis of the reports issued by Joint Committee on Governmental Accountability, 2005 Missouri State Government Review Commission, and the Medicaid Reform Commission to fulfill his promise to not reduce eligibility for the Medicaid program.”.

Representative Harris (23) moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Aull	Baker 25	Barnitz	Bland	Bowman
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

NOES: 094

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz

Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Boykins	Kratky	Marsh	Parker
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VACANCIES: 001

HB 12, as amended, was laid over.

HCS HB 5, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Bringer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 5, Page 2, Section 5.030, Line 6, by deleting "6,528,661" and replacing with "6,028,661" and adjust section and bill totals accordingly.

Representative Bringer moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

HCS HB 5, as amended, was laid over.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Barnitz offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 10, Page 2, Section 10.010, Line 5, by inserting after “Equipment” the following:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”; and

Further amend said bill, Page 24, Section 10.605, Line 5, by inserting after “Equipment” the following:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”.

On motion of Representative Barnitz, **House Amendment No. 9** was adopted.

Representative Byrd assumed the Chair.

HCS HB 10, as amended, was laid over.

HCS HB 11, as amended, relating to appropriations, was again taken up by Representative Lager.

HCS HB 11, as amended, was laid over.

HCS HB 5, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Low (39) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 5, Page 14, Section 5.290, Line 5, by deleting “12,000,000” and inserting “10,300,000” and adjust bill total accordingly.

Representative Low (39) moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Aull	Baker 25	Barnitz	Bland	Bringer
Brooks	Brown 50	Burnett	Byrd	Casey
Chappelle-Nadal	Cunningham 86	Curls	Davis	Donnelly
Dusenberg	Flook	Harris 23	Harris 110	Haywood
Henke	Hughes	Johnson 47	Johnson 90	Jolly
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	May	McGhee	Meiners
Nance	Nolte	Oxford	Page	Pratt
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Storch	Swinger
Wagner	Wells	Whorton	Witte	Yaeger
Yates	Young	Zweifel		

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NOES: 091

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bowman	Brown 30	Bruns	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Daus	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Emery	Ervin
Faith	Fares	Fisher	Franz	Fraser
Goodman	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 61	Jones
Kelly	Kingery	Lager	Lembke	Lipke
Loehner	Moore	Munzlinger	Muschany	Myers
Nieves	Parson	Pearce	Phillips	Pollock
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Wasson	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Wright-Jones
Mr Speaker				

PRESENT: 005

Boykins	Darrough	El-Amin	Portwood	Walton
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ABSENT WITH LEAVE: 008

Bean	George	Kratky	Marsh	Meadows
Parker	Walsh	Wildberger		

VACANCIES: 001

HCS HB 5, as amended, was laid over.

HCS HB 11, as amended, relating to appropriations, was again taken up by Representative Lager.

Speaker Pro Tem Bearden resumed the Chair.

Representative Byrd resumed the Chair.

Representative Page offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 11, Pages 20-21, Section 11.435, Line 23, by deleting "185,213,556" and inserting "181,613,556"; and

Further amend said section, Line 24, by deleting "527,458,040" and inserting "521,658,040"; and

Further amend said bill, Page 24, Section 11.480, Line 14, by deleting "165,543,494" and inserting "165,143,494"; and

Further amend said section, Line 15, by deleting “526,857,718” and inserting “526,157,718” and adjusting sections and bill totals accordingly.

Representative Page moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Barnitz	Bland	Bowman
Bringer	Brooks	Brown 50	Burnett	Casey
Chinn	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Moore	Nance	Nolte	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schaaf
Schneider	Schoemehl	Selby	Shoemyer	Skaggs
Smith 14	Spreng	Storch	Swinger	Tilley
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 085

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Icet	Jackson
Johnson 47	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	May	McGhee
Munzlinger	Muschany	Myers	Nieves	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schad
Schlottach	Self	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Kratky	Marsh	Parker
Wildberger				

VACANCIES: 001

HCS HB 11, as amended, was laid over.

HB 12, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative LeVota offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 12, Page 2, Section 12.020, by deleting said section in its entirety and adjust bill totals accordingly.

Representative LeVota moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Aull	Avery	Baker 25	Barnitz	Bland
Bowman	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Davis	Donnelly	Dougherty	El-Amin
Flook	Fraser	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Pollock
Pratt	Roark	Robinson	Roorda	Rucker
Sater	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 118	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	Yates
Young	Zweifel			

NOES: 082

Baker 123	Bearden	Behnen	Bivins	Black
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Lager	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Portwood	Quinn	Rector
Richard	Robb	Ruestman	Rupp	Sander
Schaaf	Schad	Schlottach	Schneider	Smith 14
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Boykins	George	Kratky	Marsh
Parker	Salva	Wildberger		

VACANCIES: 001

HB 12, as amended, was laid over.

HCS HB 11, as amended, relating to appropriations, was again taken up by Representative Lager.

Speaker Pro Tem Bearden resumed the Chair.

Representative Barnitz offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 11, Page 2, Section 11.010, Line 4, by adding after “Services” the following:

“, provided that not more than twenty-five percent (25%) flexibility is allowed between each appropriation”.

On motion of Representative Barnitz, **House Amendment No. 3** was adopted.

HCS HB 11, as amended, was laid over.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 20, relating to Pregnancy and Infant Loss Remembrance Day, was again taken up by Representative Rupp.

On motion of Representative Rupp, **HCR 20** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner

Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 003

Brooks	Johnson 61	Oxford
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ABSENT WITH LEAVE: 007

Bean	Bowman	Boykins	Haywood	Kratky
Marsh	Parker			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

On motion of Representative Dempsey, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2168 - Representative Villa
House Resolution No. 2169 - Representative Lager

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HCS HB 276, relating to special education procedures, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HCS HB 276** was adopted.

On motion of Representative Cunningham (86), **HCS HB 276** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 255, relating to ethics complaints, was taken up by Representative Cunningham (86).

HCS HB 255 was laid over.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HB 12, as amended, relating to appropriations, was again taken up by Representative Lager.

HB 12, as amended, was laid over.

HB 13, relating to appropriations, was taken up by Representative Lager.

HB 13 was laid over.

HB 1, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HB 1** was ordered perfected and printed.

HCS HB 2, as amended, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 2, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 2, as amended**, was ordered perfected and printed.

HCS HB 3, as amended, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 3, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 3, as amended**, was ordered perfected and printed.

HCS HB 4, as amended, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 4, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 4, as amended**, was ordered perfected and printed.

HCS HB 5, as amended, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 5, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 5, as amended**, was ordered perfected and printed.

HCS HB 6, as amended, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 6, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 6, as amended**, was ordered perfected and printed.

HCS HB 7, as amended, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 7, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 7, as amended**, was ordered perfected and printed.

HCS HB 8, as amended, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 8, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 8, as amended**, was ordered perfected and printed.

HCS HB 9, as amended, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 9, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 9, as amended**, was ordered perfected and printed.

HCS HB 10, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Lager moved that Rule 45(f) be suspended for the purpose of adopting **House Amendment No. 10 to HCS HB 10, as amended**.

Representative Darrough made a substitute motion that Rule 45(f) be suspended.

Which motion was defeated by the following vote:

AYES: 063

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

NOES: 095

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Kratky	Marsh	Parker
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VACANCIES: 001

Representative Lager again moved that Rule 45(f) be suspended for the purpose of adopting **House Amendment No. 10 to HCS HB 10, as amended.**

Which motion was adopted by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Denison	Kratky	Marsh	Parker
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VACANCIES: 001

Representative Lager offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 10, Pages 33-34, Section 10.720, Line 25, by deleting the number "139,753,249" and inserting the number "141,706,107"; and

Further amend said section, Line 26, by deleting the number "227,633,136" and inserting the number "229,679,826" and adjusting the section and bill totals accordingly.

On motion of Representative Lager, **House Amendment No. 10** was adopted.

On motion of Representative Lager, **HCS HB 10, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 10, as amended**, was ordered perfected and printed.

HCS HB 11, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Lager moved that Rule 45(f) be suspended for the purpose of adopting **House Amendment No. 4 to HCS HB 11, as amended**.

Which motion was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean

Kratky

Marsh

Parker

VACANCIES: 001

Representative Lager offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 11, Pages 20-21, Section 11.435, Line 23, by deleting the number "185,213,556" and inserting the number "187,921,745"; and

Further amend said section, Line 24, by deleting the number "527,458,040" and inserting the number "532,526,934"; and

Further amend said bill, Page 21, Section 11.440, Line 6, by deleting the number "126,816,128" and inserting the number "127,443,508"; and

Further amend said section, Line 7, by deleting the number "188,503,522" and inserting the number "189,160,396"; and

Further amend said bill, Page 22, Section 11.455, Line 11, by deleting the number "135,963,677" and inserting the number "136,897,115"; and

Further amend said section, Line 12, by deleting the number "239,615,679" and inserting the number "240,624,743"; and

Further amend said bill, Page 22, Section 11.460, Line 8, by deleting the number "2,802,349" and inserting the number "2,871,315"; and

Further amend said section, Line 9, by deleting the number "6,142,772" and inserting the number "6,218,920"; and

Further amend said bill, Pages 22-23, Section 11.465, Line 8, by deleting the number "47,000,985" and inserting the number "47,474,660"; and

Further amend said section, Line 9, by deleting the number "77,363,035" and inserting the number "77,858,978"; and

Further amend said bill, Pages 23-24, Section 11.475, Line 12, by deleting the number "40,244,577" and inserting the number "40,823,718"; and

Further amend said section, Line 13, by deleting the number "71,377,759" and inserting the number "71,993,939"; and

Further amend said section, Line 20, by deleting the number "6,338,775" and inserting the number "6,538,744"; and

Further amend said section, Line 21, by deleting the number "18,348,234" and inserting the number "18,557,604"; and

Further amend said bill, Pages 24-25, Section 11.485, Line 16, by deleting the number "21,743,900" and inserting the number "22,800,284"; and

Further amend said section, Line 17, by deleting the number "380,466,390" and inserting the number "383,187,226" and adjusting section and bill totals accordingly.

On motion of Representative Lager, **House Amendment No. 4** was adopted.

On motion of Representative Lager, **HCS HB 11, as amended**, was adopted.

On motion of Representative Lager, **HCS HB 11, as amended**, was ordered perfected and printed.

HB 12, as amended, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HB 12, as amended**, was ordered perfected and printed.

HB 13, relating to appropriations, was again taken up by Representative Lager.

On motion of Representative Lager, **HB 13** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 270**, begs leave to report it has **been furnished an updated fiscal note and does not require fiscal review**.

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HCS HB 586**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SCS#2 SB 155**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SB 174**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SB 288**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SB 364**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SCS SB 450**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SCS SB 496**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SCS SB 502**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SBs 10 & 27**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 73**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 418**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 423**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SB 479**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 23

WHEREAS, following breast cancer, cervical cancer is the second most common cancer in women worldwide after breast cancer; and

WHEREAS, according to United States cervical cancer statistics, the disease is the third most common gynecological cancer among American women. With approximately 12,200 new cases diagnosed annually, 4,100 of these cases result in death; and

WHEREAS, with regular and accurate screening, cervical cancer is highly preventable with regular and accurate screening; and

WHEREAS, widespread screening programs have helped reduce death rates from cervical cancer, but women are still dying even with such advanced medical techniques and evaluative procedures; and

WHEREAS, cervical cancer cases in the United States are generally attributed to lack of education, a reduction of access available to regular cervical cancer screening, and a lack of screening accuracy; and

WHEREAS, experience shows that increasing cervical cancer awareness among women, especially underserved women within our state, significantly reduces the probability of mortality; and

WHEREAS, cervical cancer disproportionately affects minority women and women with lower incomes because they are less likely to have access to routine screening; and

WHEREAS, approximately one-half of all cervical cancer cases are in women who have never been screened, and ten percent of cases are in women who have not been screened within the last five years; and

WHEREAS, the median age of cervical cancer patients at diagnosis is 47 years, the youngest median age for all female reproductive cancers; and

WHEREAS, new screening technologies, including FDA-approved testing for human papillomavirus, which is the cause of virtually all cervical cancers, offer new opportunities to finally eliminate this potentially deadly disease through early identification of women at increased risk; and

WHEREAS, leading medical organizations, including the American College of Obstetricians and Gynecologists, the American Cancer Society, and the Association of Reproductive Health Professionals have recently updated their screening guidelines to include FDA-approved testing for human papillomavirus; and

WHEREAS, women are entitled to proper cervical cancer information so they can be empowered to make informed health care decisions, and are entitled to access to routine screening, including the most accurate methods available:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby recognize that through education and screening women can lower their likelihood for developing cervical cancer, and that through early detection cervical cancer can be successfully treated after it develops; and

BE IT FURTHER RESOLVED that the Missouri General Assembly supported the Missouri Department of Health and Senior Services and the Missouri Cancer Consortium in taking the lead in formulating the Comprehensive

Cancer Action Plan for Missouri, including the review of data regarding cervical cancer and human papillomavirus of women in Missouri, evaluating current methods used to provide women with information regarding cervical cancer, access to regular screening, and options for increasing screening accuracy; and

BE IT FURTHER RESOLVED that the Missouri General Assembly supports the Missouri Department of Health and Senior Services and the Missouri Cancer Consortium in the identification of pockets of need, priority strategies, and new technologies, including new introduced therapies and preventive vaccines which are effective in preventing and controlling cervical cancer; and

BE IT FURTHER RESOLVED that the Missouri General Assembly directs that the Comprehensive Cancer Action Plan for Missouri, which serves as a nationwide model of effective cancer control strategies, be presented annually to the Governor, Lieutenant Governor, President Pro Tem of the Senate, the Speaker of the House of Representatives, and be posted on the Missouri state web site homepage; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Governor Matt Blunt, Lieutenant Governor Peter Kinder, the Director of the Department of Health and Senior Services, and the Missouri Cancer Consortium.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 835**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 742**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 925**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 123**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 216**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 308**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 404**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 422**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 177**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Smith (118) reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SB 317**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **SB 357**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **SB 401**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Roark reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SB 521**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

House Committee Amendment No. 1

AMEND Senate Bill No. 521, Page 1, Section A, Line 2, by deleting the number "26.018" and inserting in lieu thereof the number "26.607"; and

Further amend said bill, Page 2, Section 26.607, Line 20, by inserting after the word "**governor**" the words "**or his or her designee**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 38**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 209**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 227**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 247**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 354**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 372**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 374**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 378**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 390**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 488**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

House Committee Amendment No. 1

AMEND Senate Bill No. 488, Section 301.020, Pages 2 & 3, Lines 47 thru 49, by deleting all of said lines and inserting in lieu thereof the following:

“retaining ownership of the vehicle, as prior salvage and the vehicle shall only be required to meet the examination”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Committee on Utilities, Chairman Rector reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SCS SB 6**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 122**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SCS SB 182**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SS SCS SB 237**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 265**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SB 252**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **SB 304**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 238**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Hunter reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SCS SB 319**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SB 367**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1642**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 1642

WHEREAS, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

WHEREAS, the Girl Scouts - Heart of Missouri Council has sought to instill values of high integrity within our youth; and

WHEREAS, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for beneficial purposes:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-second General Assembly, hereby grant the Girl Scouts - Heart of Missouri Council permission to use the House Chamber for the Silver and Gold Award Ceremony for their Cadette and Senior Girl Scouts on Sunday, June 5, 2005, from 9:00 a.m. until 4:00 p.m.

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1682**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

HOUSE RESOLUTION NO. 1682

WHEREAS, the Missouri House of Representatives recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri House of Representatives has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the Cooperative Youth Conference & Leadership sponsored by the Association of Missouri Electric Cooperatives is an educational experience in state government for youth by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-third General Assembly, hereby grant the Cooperative Youth Conference & Leadership Experience permission to use the House Chamber on Thursday, July 28, 2005, from 7 a.m. to 5 p.m.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 572**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 832**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 2**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SJR 1**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 68**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 156**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 178**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 222**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 246**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 267**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 280**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 307**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 453**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 507**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 518**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 74 & 49**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to administration of immunizations with mercury preservatives.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 75 & 353**, entitled:

An act to repeal section 208.574, RSMo, and to enact in lieu thereof one new section relating to senior prescription drug coverage, with a termination date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 95**, entitled:

An act to repeal sections 701.304, 701.306, 701.308, 701.309, 701.311, 701.312, 701.314, 701.320, 701.328, and 701.337, RSMo, and to enact in lieu thereof fourteen new sections relating to lead poisoning, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SB 225**, entitled:

An act to repeal sections 260.200, 260.262, 260.270, 260.272, 260.274, 260.275, 260.276, 260.278, 260.342, 260.375, 260.380, 260.391, 260.420, 260.446, 260.475, 260.479, 260.480, 260.481, 260.546, 260.569, 260.900, 260.905, 260.925, 260.935, 260.940, 260.945, 260.960, and 260.965, RSMo, and to enact in lieu thereof twenty-four new sections relating to hazardous waste, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 232**, entitled:

An act to repeal section 537.528, RSMo, and to enact in lieu thereof one new section relating to strategic litigation against public participation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 272**, entitled:

An act to repeal sections 137.073 and 313.820, RSMo, and to enact in lieu thereof two new sections relating to gaming boat admission fee revenue.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 362**, entitled:

An act to amend chapter 135, RSMo, by adding thereto three new sections relating to residential treatment agency tax credits, with an expiration date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 476**, entitled:

An act to repeal sections 361.060, 361.070, 361.080, 361.262, 361.365, 362.042, 362.107, 362.170, 362.210, 362.213, 362.215, 362.217, 362.225, 362.300, 362.305, 362.310, 362.315, 362.520, and 362.600, RSMo, and to enact in lieu thereof thirteen new sections relating to banks and banking, with penalty provisions.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Wright-Jones is no longer a member of the Special Committee on Urban Issues.

Representative Curls has been appointed a member of the Special Committee on Urban Issues.

The following member's presence was noted: Marsh.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 14, 2005.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Brian Yates, District 56, hereby state and affirm that my vote as recorded on Page 991 of the House Journal for Tuesday, April 12, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of April 2005.

/s/ Brian Yates
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

AGRICULTURE POLICY

Thursday, April 14, 2005, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 211, HB 687,
HB 798, SB 171, SCS SB 355

ELEMENTARY AND SECONDARY EDUCATION

Thursday, April 14, 2005, Hearing Room 1 upon morning adjournment.

Executive session will be held on: HB 823

HEALTH CARE POLICY

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 770, HB 805, HB 905, HCR 31

JOINT COMMITTEE ON CORRECTIONS

Monday, April 18, 2005, 8:00 a.m. Hearing Room 1.

Election of Officers, Department of Corrections presentation, other business.

JUDICIARY

Thursday, April 14, 2005, House Chamber south side gallery upon morning adjournment.
Executive session.

LOCAL GOVERNMENT

Thursday, April 14, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. Work session on SS SCS SB 210.
Public hearing to be held on: SS SCS SB 168

RULES

Thursday, April 14, 2005, 9:30 a.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HCS HB 192, SB 323, SB 318, SB 347,
SB 394, HCS SCS SBs 103 & 115, SB 480, SCS SB 407, SCS SB 289,
SB 279, SB 71, SB 257, SCS SB 258, SB 259, HCS SB 490

RULES

Thursday, April 14, 2005, Hearing Room 6 upon afternoon adjournment.
Executive session may follow.
Public hearings to be held on: HCS HB 192, HCS HB 591, 210, 377, 760 & 777,
HCS HB 91, SB 279, SCS SB 289, SCS SB 407, SB 480, HCS SCS SBs 103 & 115,
SB 394, SB 347, SB 318, SB 323, SCS SB 73, SB 288, SB 418, SCS SB 496,
SCS SB 502, HCS SCS#2 SB 155, HCS SB 123, HCS SB 216, HCS SB 308,
HCS SB 364, HCS SB 422, HCS SCS SB 450, SCS SB 247, SB 304,
SCS SB 390, HCS SCS SB 238, SB 396, HCS SB 177, HCS SCS SB 182,
SCS SB 227, SB 521, SB 162, HCS SB 174, SCS SB 6, SB 122, SB 265,
HCS SCS SB 423, HCS SB 401, SB 357, SB 317, SB 367, SB 378, SCS SB 354,
HCS SCS SB 372, SB 488, SB 209, HCS SB 38, SCS SB 374

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 14, 2005, 8:30 a.m. Hearing Room 5.
Executive session may follow.
Public hearings to be held on: HB 957, HB 924, HB 972

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, April 14, 2005, Hearing Room 7 upon afternoon adjournment.
Executive session will be held on: SB 380, SS SCS SB 269

HOUSE CALENDAR

FIFTY-FIFTH DAY, THURSDAY, APRIL 14, 2005

HOUSE BILLS FOR PERFECTION

- 1 HB 376 - Guest
- 2 HCS HB 576 - Flook
- 3 HCS HB 286 - Bland
- 4 HCS HB 519, as amended - Roark (3 hours debate on Perfection)
- 5 HCS HB 474 - Yates
- 6 HCS HB 628 - Byrd
- 7 HCS HB 532 - Spreng
- 8 HCS HB 255 - Cunningham (86)
- 9 HCS HB 387 - Byrd
- 10 HCS HB 525 - May
- 11 HB 530 - Moore
- 12 HCS HB 353 - Lipke (2 hours debate on Perfection)
- 13 HB 205 - Salva
- 14 HCS HB 49 & 50 - Jolly
- 15 HCS HB 36 - Davis
- 16 HCS HB 400 - Yates
- 17 HB 320 - Muschany
- 18 HB 417 - Yates
- 19 HCS HB 440 - Pratt
- 20 HCS HB 649 - Fares

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 500 & 533 - Smith (118)

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HB 1 - Lager
- 2 HCS HB 2 - Lager
- 3 HCS HB 3 - Lager
- 4 HCS HB 4 - Lager
- 5 HCS HB 5 - Lager
- 6 HCS HB 6 - Lager
- 7 HCS HB 7 - Lager
- 8 HCS HB 8 - Lager
- 9 HCS HB 9 - Lager
- 10 HCS HB 10 - Lager

- 11 HCS HB 11 - Lager
- 12 HB 12 - Lager
- 13 HB 13 - Lager

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HB 410 - Flook
- 3 HCS HB 461 - Sutherland
- 4 HB 539 - Icet
- 5 HB 344 - Baker (123)
- 6 HCS HB 209 - Cooper (120)

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 276 - Cunningham (86)

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILLS FOR SECOND READING

- 1 SS SCS SBs 74 & 49
- 2 SCS SBs 75 & 353
- 3 SS SB 95
- 4 SS#2 SCS SB 225
- 5 SB 232
- 6 SCS SB 272
- 7 SS SB 362
- 8 SB 476

SENATE BILL FOR THIRD READING - CONSENT

(4/08/05)

SCS SB 69, E.C. - Pratt

SENATE BILL FOR THIRD READING

HCS SCS SB 270, E.C. - Richard

HOUSE RESOLUTION

HR 1117, (3-10-05, Page 587) - Wright (137)

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-FIFTH DAY, THURSDAY, APRIL 14, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

On this date in 1865, Abraham Lincoln was assassinated. May his spirituality guide our prayer, this morning. At age 19 he wrote:

“I never behold the stars that I do not feel
that I am looking in the face of God.”

Lord God, give us this vision, this kind of faith, that we might see with great clarity.

In his Second Inaugural Address he reflected:

“With malice toward none;
With charity for all;
With firmness in the right,
As God has given us to see the right,
Let us strive to finish the work we are in...”

Lord God, we are in the last month of the 2005 Session of the House Representatives. That we might finish well the work we are in, we pray for the grace of perseverance and for the enormous integrity seen in Abraham Lincoln.

We pray to You our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nathan Jones, Ashley Grace Marie Caldwell, Paul Adam Henny, Christopher Lee Kirk, Lauren Ashley Sanders, Jonathan Willis, Jessica Willis and Camille Ovington.

The Journal of the fifty-fourth day was approved as corrected.

SPECIAL RECOGNITION

The Belton High School Dance Team was introduced by Representative Baker (123) and recognized for achieving the title of Class 4-A State Champions.

Judge James Bickel of Nevada, Missouri was introduced by Representative Fisher and recognized as an Outstanding Missourian.

Nina Jane Hickman of Princeton, Missouri was introduced by Representative Whorton and recognized as an Outstanding Missourian.

HOUSE RESOLUTION

Representative Whorton offered House Resolution No. 2170.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2171	-	Representative Fares
House Resolution No. 2172	-	Representative LeVota
House Resolution No. 2173	-	Representative Tilley
House Resolution No. 2174	-	Representative Behnen
House Resolution No. 2175	-	Representative Spreng
House Resolution No. 2176	-	Representatives Spreng and Zweifel
House Resolution No. 2177	-	Representative Spreng, et al.
House Resolution No. 2178	-	Representatives Zweifel and Spreng
House Resolution No. 2179	-	Representative Jones
House Resolution No. 2180	-	Representative Haywood
House Resolution No. 2181	-	Representative Pratt
House Resolution No. 2182	-	Representative Cooper (120)
House Resolution No. 2183	-	Representative Bowman
House Resolution No. 2184		
and		
House Resolution No. 2185	-	Representative Guest
House Resolution No. 2186		
and		
House Resolution No. 2187	-	Representative Bivins
House Resolution No. 2188		
through		
House Resolution No. 2191	-	Representative Lipke
House Resolution No. 2192	-	Representative Witte
House Resolution No. 2193	-	Representative Smith (14)
House Resolution No. 2194	-	Representative Cunningham (145)
House Resolution No. 2195	-	Representative Meadows
House Resolution No. 2196		
through		
House Resolution No. 2203	-	Representative Bearden
House Resolution No. 2204		
through		
House Resolution No. 2206	-	Representatives Bearden and Faith
House Resolution No. 2207		
through		
House Resolution No. 2220	-	Representative Black

House Resolution No. 2221

and

House Resolution No. 2222 - Representative Fares

House Resolution No. 2223 - Representative Rector

SECOND READING OF SENATE BILLS

SS SCS SBs 74 & 49, SCS SBs 75 & 353, SS SB 95, SS#2 SCS SB 225, SB 232, SCS SB 272, SS SB 362 and SB 476 were read the second time.

THIRD READING OF HOUSE BILLS

HCS HB 461, relating to assessment of business personal property, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HB 461** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Rupp
Salva	Sater	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bean	Bowman	Boykins	Brooks	Curls
Hubbard	Marsh	Muschany	Parker	Rucker
Sander	Schaaf			

VACANCIES: 001

Speaker Jetton declared the bill passed.

Speaker Pro Tem Bearden assumed the Chair.

HB 410, relating to a highway designation, was taken up by Representative Flook.

On motion of Representative Flook, **HB 410** was read the third time and passed by the following vote:

AYES: 126

Aull	Baker 25	Baker 123	Barnitz	Bearden
Bivins	Black	Bland	Boykins	Bringer
Brown 30	Brown 50	Byrd	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	El-Amin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hughes	Hunter
Icet	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kuessner	Lager
Lampe	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Myers	Nance	Nieves
Nolte	Oxford	Page	Parson	Pearce
Portwood	Pratt	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Schaaf	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 14
Spreng	Stefanick	Stevenson	Storch	Swinger
Threlkeld	Tilley	Villa	Vogt	Wagner
Walsh	Walton	Wasson	Weter	Whorton
Wildberger	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Young	Zweifel
Mr Speaker				

NOES: 028

Avery	Behnen	Bowman	Bruns	Burnett
Chinn	Daus	Dusenberg	Emery	Ervin
Jackson	Johnson 61	Kraus	Lembke	LeVota

Phillips	Pollock	Quinn	Rector	Sander
Sater	Schad	Smith 118	Viebrock	Wallace
Wells	Wilson 119	Yates		

PRESENT: 002

Brooks	Sutherland
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ABSENT WITH LEAVE: 006

Bean	Hubbard	Marsh	Muschany	Parker
St. Onge				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 539, relating to teacher salary incentives, was taken up by Representative Icet.

On motion of Representative Icet, **HB 539** was read the third time and passed by the following vote:

AYES: 096

Avery	Bearden	Behnen	Bivins	Black
Boykins	Brooks	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Harris 23
Hobbs	Hoskins	Hunter	Icet	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Myers	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Wright-Jones	Yates
Mr Speaker				

NOES: 060

Aull	Baker 25	Barnitz	Bland	Bowman
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	Fraser	George	Harris 110	Haywood
Henke	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Nance
Oxford	Page	Robinson	Roorda	Rucker
Salva	Schoemehl	Selby	Shoemyer	Skaggs

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Spreng	Storch	Swinger	Villa	Vogt
Wagner	Walsh	Walton	Wells	Whorton
Wildberger	Witte	Yaeger	Young	Zweifel

PRESENT: 001

Baker 123

ABSENT WITH LEAVE: 005

Bean	Hubbard	Marsh	Muschany	Parker
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 344, relating to county health centers, was taken up by Representative Baker (123).

On motion of Representative Baker (123), **HB 344** was read the third time and passed by the following vote:

AYES: 126

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Boykins	Bringer
Brown 30	Bruns	Byrd	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Curls	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Emery	Faith	Fares	Fisher
Franz	Fraser	Goodman	Guest	Haywood
Henke	Hobbs	Hoskins	Hughes	Hunter
Icet	Jackson	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kuessner	Lager
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Myers	Nance
Nieves	Nolte	Oxford	Parson	Pearce
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Robb	Robinson	Rucker	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Zweifel
Mr Speaker				

NOES: 028

Baker 25	Bowman	Brown 50	Burnett	Casey
Cunningham 86	Darrough	Daus	Dusenberg	Ervin
Flook	George	Harris 23	Harris 110	Johnson 61
Johnson 90	Kraus	LeVota	Page	Pratt

Roark	Roorda	Skaggs	Spreng	Vogt
Walsh	Yates	Young		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 007

Bean	Bland	Hubbard	Marsh	Muschany
Parker	Rupp			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HCS HB 276, relating to special education procedures, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HCS HB 276** was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger

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Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Hubbard	Marsh	Parker
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HB 1, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HB 1** was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh

Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Hubbard	Marsh	Parker
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Richard assumed the Chair.

HCS HB 2, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 2** was read the third time and passed by the following vote:

AYES: 103

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Harris 110	Haywood	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lampe	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Rucker	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Wright-Jones	Yates	Mr Speaker		

NOES: 055

Baker 25	Barnitz	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Henke	Hughes	Johnson 61	Johnson 90

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Jolly	Kratky	Kuessner	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Roorda	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Yaeger	Young	Zweifel

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 003

Bean	Marsh	Parker
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VACANCIES: 001

Representative Richard declared the bill passed.

HCS HB 3, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 3** was read the third time and passed by the following vote:

AYES: 106

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brooks	Brown 30	Brown 50	Bruns
Byrd	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Harris 110	Hobbs	Hoskins	Hubbard	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kratky	Kraus	Lager	Lampe
Lembke	Liese	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Tilley	Viebrock	Wagner	Wallace
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 053

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Burnett	Casey	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Haywood
Henke	Hughes	Johnson 61	Johnson 90	Jolly

Kuessner	LeVota	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Roorda	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Threlkeld	Villa	Vogt
Walsh	Walton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Marsh	Parker
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VACANCIES: 001

Representative Richard declared the bill passed.

HCS HB 4, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 4** was read the third time and passed by the following vote:

AYES: 109

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Black	Boykins	Brooks	Brown 30
Bruns	Byrd	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Harris 110	Haywood	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	May	McGhee
Meadows	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Roorda
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Selby	Self
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wagner	Wallace	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Wright-Jones	Yates	Mr Speaker	

NOES: 050

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 23	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meiners	Oxford	Page	Robinson	Rucker

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Salva	Schoemehl	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Marsh	Parker
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VACANCIES: 001

Representative Richard declared the bill passed.

HCS HB 5, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 5** was read the third time and passed by the following vote:

AYES: 095

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bowman	Boykins	Brooks	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Dempsey	Denison
Dethrow	Dixon	Dougherty	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Haywood	Hobbs	Hoskins
Hubbard	Hunter	Icet	Jackson	Johnson 47
Johnson 61	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	May	McGhee
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Wright-Jones	Mr Speaker

NOES: 063

Aull	Baker 25	Barnitz	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Deeken	Donnelly	Dusenberg	Fraser	George
Harris 23	Harris 110	Henke	Hughes	Johnson 90
Jolly	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Moore	Oxford	Page	Pratt
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh

Walton	Whorton	Wildberger	Witte	Yaeger
Yates	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	El-Amin	Marsh	Parker
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VACANCIES: 001

Representative Richard declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

HCS HB 6, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 6** was read the third time and passed by the following vote:

AYES: 117

Aull	Avery	Baker 123	Barnitz	Bearden
Behnen	Bivins	Black	Bowman	Boykins
Bringer	Brooks	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Haywood	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Jones
Kelly	Kingery	Kratky	Kraus	Lager
Lampe	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Shoemyer
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yates	Mr Speaker			

NOES: 042

Baker 25	Bland	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Henke	Hughes	Johnson 90	Jolly	Kuessner
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda

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Salva	Schoemehl	Selby	Skaggs	Spreng
Storch	Vogt	Walsh	Wildberger	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Marsh	Parker
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 7, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 7** was read the third time and passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Brooks	Brown 30	Brown 50
Bruns	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Haywood	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yates	Zweifel
Mr Speaker				

NOES: 016

Bringer	Burnett	Daus	El-Amin	George
Harris 23	Harris 110	Henke	Johnson 90	Kuessner
Oxford	Storch	Vogt	Whorton	Yaeger
Young				

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Cooper 155	Marsh	Meadows	Parker
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 8, relating to appropriations, was taken up by Representative Lager.

Representative Barnitz offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 8, Page 2, Section 8.010, Line 5, by inserting immediately after the word “that” the word “not”; and

Further amend said bill, Page 18, Section 8.275, Line 3, by inserting immediately after the word “that” the word “not”.

On motion of Representative Barnitz, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Lager, **HCS HB 8, as amended**, was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Bland
Bowman	Boykins	Brooks	Brown 30	Brown 50
Bruns	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parson	Pearce

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Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Skaggs	Smith 14	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yates
Zweifel	Mr Speaker			

NOES: 006

Bringer	Burnett	LeVota	Vogt	Yaeger
Young				

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Marsh	Parker	Smith 118
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 9, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 9** was read the third time and passed by the following vote:

AYES: 096

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hoskins
Hubbard	Hunter	Ice	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock

Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 062

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Jackson	Marsh	Parker
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Richard resumed the Chair.

HCS HB 10, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 10** was read the third time and passed by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Icet	Jones	Kelly
Kingery	Lager	Lembke	Lipke	Loehner
May	McGhee	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Self	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley

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Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 071

Aull	Baker 25	Barnitz	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Deeken	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 47	Johnson 61	Johnson 90	Jolly	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Moore
Oxford	Page	Robinson	Roorda	Rucker
Salva	Schneider	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Jackson	Marsh	Parker
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VACANCIES: 001

Representative Richard declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

HCS HB 11, relating to appropriations, was taken up by Representative Lager.

Representative Dempsey assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Lager, **HCS HB 11** was read the third time and passed by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Behnen	Bivins
Brown 30	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson

Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 069

Aull	Baker 25	Barnitz	Black	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Deeken	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Moore	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 001

Parker

ABSENT WITH LEAVE: 004

Bean	Jackson	Marsh	Rupp
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 12, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HB 12** was read the third time and passed by the following vote:

AYES: 098

Avery	Baker 123	Barnitz	Bearden	Behnen
Bivins	Black	Boykins	Brown 30	Bruns
Byrd	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Haywood	Hobbs	Hunter	Ice	Johnson 47
Johnson 61	Jones	Kelly	Kingery	Kraus
Lager	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance

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Nieves	Nolte	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Shoemyer	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 058

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Henke	Hoskins	Hubbard	Hughes	Johnson 90
Jolly	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Schoemehl	Selby	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Jackson	Marsh	Parker	Rupp
Salva				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton resumed the Chair.

HB 13, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HB 13** was read the third time and passed by the following vote:

AYES: 124

Aull	Avery	Baker 25	Baker 123	Barnitz
Bearden	Behnen	Bivins	Black	Boykins
Brown 30	Brown 50	Bruns	Byrd	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hunter	Icet	Johnson 47

Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	Liese
Lipke	Loehner	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Shoemyer	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yates	Zweifel	Mr Speaker	

NOES: 032

Bland	Bowman	Bringer	Brooks	Burnett
Casey	Darrough	Donnelly	El-Amin	George
Haywood	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	LeVota	Low 39	Lowe 44
Meiners	Oxford	Schoemehl	Selby	Skaggs
Spreng	Storch	Vogt	Walsh	Walton
Yaeger	Young			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Jackson	Marsh	Parker	Rupp
Salva				

VACANCIES: 001

Speaker Jetton declared the bill passed.

HOUSE RESOLUTION

HR 1117, relating to House employees, was taken up by Representative Wright (137).

On motion of Representative Wright (137), **HR 1117** was adopted.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 858 - Judiciary

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SBs 75 & 353 - Senior Citizen Advocacy
SS SB 95 - Special Committee on Urban Issues
SS#2 SCS SB 225 - Conservation and Natural Resources
SB 232 - Judiciary
SCS SB 272 - Ways and Means
SS SB 362 - Ways and Means
SB 476 - Financial Institutions

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 660**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SB 192**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 405**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Roark reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 924**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 972**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 192**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 71**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SBs 103 & 115**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 258**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 259**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 279**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 289**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 318**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 323**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 347**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 394**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 490**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

SENATE CONSENT BILL

Pursuant to Rule 44(c), the following bill has remained on the Senate Bill for Third Reading Consent Calendar for five legislative days without any objection, and any committee substitutes and committee amendments are hereby adopted by consent: **SCS SB 69**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 287**, entitled:

An act to repeal sections 148.360, 149.015, 160.264, 160.400, 160.405, 160.410, 160.415, 160.420, 160.530, 160.531, 160.534, 160.550, 161.527, 162.081, 162.792, 162.935, 162.975, 163.005, 163.011, 163.014, 163.015, 163.021, 163.023, 163.025, 163.028, 163.031, 163.032, 163.034, 163.035, 163.036, 163.071, 163.073, 163.081, 163.087, 163.091, 163.172, 164.011, 164.303, 165.011, 165.015, 165.016, 165.121, 166.260, 166.275, 167.126, 167.151, 167.332, 167.349, 168.281, 168.515, 170.051, 170.055, 171.121, 178.296, and 360.106, RSMo, and to enact in lieu thereof forty-seven new sections relating to education, with an effective date and penalty provisions.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Marsh.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Friday, April 15, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fourth Day, Wednesday, April 13, 2005, Page 1038, Line 1, by inserting after said line the following:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 396**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

AFFIDAVITS

I, State Representative Charlie Denison, District 135, hereby state and affirm that my vote as recorded on Page 1028 of the House Journal for Wednesday, April 13, 2005 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that

I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of April 2005.

/s/ Charlie Denison
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tim Meadows, District 101, hereby state and affirm that my vote as recorded on Page 1020 of the House Journal for Wednesday, April 13, 2005 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of April 2005.

/s/ Tim Meadows
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Tim Meadows, District 101, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute for House Bill No. 7 in the House Journal for Thursday, April 14, 2005 showing that I voted absent with leave was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of April 2005.

/s/ Tim Meadows
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Vicki Schneider, District 17, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute for House Bill No. 11 in the House Journal for Thursday, April 14, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of April 2005.

/s/ Vicki Schneider
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 14th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Tuesday, April 19, 2005, 8:00 a.m. Hearing Room 3.
Annual Tax Credit Review pursuant to 33.282, RSMo.
Executive session.
Public hearing to be held on: HJR 12

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HB 590, HB 772, HB 875

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 19, 2005, 6:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 920, SCS SBs 23 & 51

ELECTIONS

Tuesday, April 19, 2005, 6:00 p.m. Hearing Room 5.
Public hearings to be held on: HB 676, HB 929, HB 953
Executive session will be held on: HB 214, HJR 14

HEALTH CARE POLICY

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. AMENDED
Public hearings to be held on: HB 770, HB 805, HB 905, HCR 31

JOINT COMMITTEE ON CORRECTIONS

Monday, April 18, 2005, 8:00 a.m. Hearing Room 1.
Election of Officers, Department of Corrections presentation, other business.

PROFESSIONAL REGISTRATION AND LICENSING

Monday, April 18, 2005, House Chamber side gallery upon afternoon adjournment.

Executive session will be held on: HB 182, HB 847

WAYS AND MEANS

Monday, April 18, 2005, House Chamber south side gallery upon afternoon adjournment.

Executive session.

HOUSE CALENDAR

FIFTY-SIXTH DAY, FRIDAY, APRIL 15, 2005

HOUSE BILLS FOR PERFECTION

- | | | |
|----|--------------------------------|--------------------------------|
| 1 | HB 376 - Guest | |
| 2 | HCS HB 576 - Flook | |
| 3 | HCS HB 286 - Bland | |
| 4 | HCS HB 519, as amended - Roark | (3 hours debate on Perfection) |
| 5 | HCS HB 474 - Yates | |
| 6 | HCS HB 628 - Byrd | |
| 7 | HCS HB 532 - Spreng | |
| 8 | HCS HB 255 - Cunningham (86) | |
| 9 | HCS HB 387 - Byrd | |
| 10 | HCS HB 525 - May | |
| 11 | HB 530 - Moore | |
| 12 | HCS HB 353 - Lipke | (2 hours debate on Perfection) |
| 13 | HB 205 - Salva | |
| 14 | HCS HB 49 & 50 - Jolly | |
| 15 | HCS HB 36 - Davis | |
| 16 | HCS HB 400 - Yates | |
| 17 | HB 320 - Muschany | |
| 18 | HB 417 - Yates | |
| 19 | HCS HB 440 - Pratt | |
| 20 | HCS HB 649 - Fares | |
| 21 | HB 617, HCA 1 - Kelly | |
| 22 | HB 572 - Stevenson | |
| 23 | HCS HB 560 - Wright (137) | |
| 24 | HCS HB 827 - Portwood | |
| 25 | HCS HB 498 - Kratky | |
| 26 | HCS HB 853 - Loehner | |
| 27 | HCS#2 HB 568 - Stevenson | |
| 28 | HCS HB 691 - Cooper (120) | |
| 29 | HCS HB 863 - Wasson | |
| 30 | HB 832 - Brooks | |
| 31 | HCS HB 866 - Wilson (130) | |
| 32 | HCS HB 640 - Pearce | |
| 33 | HB 291 - Cooper (155) | |

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- 34 HCS HB 272 - Pratt
- 35 HB 196 - Wildberger
- 36 HB 116 - Deeken
- 37 HCS HB 697 - Lembke
- 38 HB 721 - Flook
- 39 HCS HB 824 - Hobbs
- 40 HCS HB 671 - Sutherland
- 41 HCS HB 804 - Smith (118)
- 42 HB 679 - Kraus

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 209 - Cooper (120)

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILL FOR SECOND READING

SS SCS SB 287

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE JOINT RESOLUTION FOR THIRD READING

SS SJR 1 - Chinn

SENATE BILLS FOR THIRD READING - CONSENT

SCS SB 69, E.C. - Pratt

(4/15/05)

- 1 HCS SCS SB 24 - Schlottach
- 2 SCS SB 68 - Yates

- 3 SB 71 - Nieves
- 4 HCS SCS SB 100 - Dixon
- 5 HCS SCS SBs 103 & 115 - Yates
- 6 SB 131 - Yates
- 7 SCS SB 133 - Yates
- 8 SB 149 - Stevenson
- 9 SB 156 - Richard
- 10 SB 178 - Schaaf
- 11 SB 211 - Cooper (120)
- 12 SCS SB 222 - Sutherland
- 13 HCS SCS SB 246 - Hoskins
- 14 SB 259 - Baker (123)
- 15 SB 261 - Yates
- 16 SCS SB 266 - Fares
- 17 SCS SB 267 - Jackson
- 18 SB 279 - Wasson
- 19 SCS SB 289 - Tilley
- 20 SB 298 - Wright-Jones
- 21 SB 299 - Wright-Jones
- 22 SCS SB 302 - Cunningham (86)
- 23 SB 306 - Dethrow
- 24 HCS SB 307 - Kuessner
- 25 SB 318 - Cooper (120)
- 26 SB 347 - Cooper (155)
- 27 SB 394 - Pearce
- 28 SCS SB 407 - Lipke
- 29 SB 453 - St. Onge
- 30 SB 480 - Kraus
- 31 HCS SB 490 - Pearce
- 32 SCS SB 501 - Stefanick
- 33 SB 507 - Baker (25)
- 34 SB 516 - Richard
- 35 SB 518 - Cooper (155)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 270, E.C. - Richard
- 2 HCS SB 21 - Stevenson
- 3 HCS SCS SB 70 - Richard

HOUSE CONCURRENT RESOLUTION

HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-SIXTH DAY, FRIDAY, APRIL 15, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Marilyn Seaton, Senior Docket Clerk.

If God brings you to it, He will bring you through it.
Happy moments, praise God.
Difficult moments, seek God.
Quiet moments, worship God.
Painful moments, trust God.
Every moment, thank God.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2224 - Representative El-Amin
House Resolution No. 2225 - Representative Hughes
House Resolution No. 2226
through
House Resolution No. 2233 - Representative Lembke
House Resolution No. 2234 - Representative McGhee

SECOND READING OF SENATE BILL

SS SCS SB 287 was read the second time.

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 272 - Rules

COMMITTEE REPORTS

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 91**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 6**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 38**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 73**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 122**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 123**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS#2 SB 155**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 162**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 174**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 177**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 182**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 209**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 216**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 227**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 238**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 247**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 265**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 288**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 304**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 308**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 317**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 354**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 357**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 364**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 367**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 372**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 374**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 378**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 390**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 396**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 401**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 418**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 422**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 423**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 450**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 488, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 496**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 502**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 521, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent, with no time limit for debate**.

The following members' presence was noted: Harris (23) and Roorda.

ADJOURNMENT

On motion of Representative Moore, the House adjourned until 2:00 p.m., Monday, April 18, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fifth Day, Thursday, April 14, 2005, Page 1067, Line 3, by inserting immediately after said line, the following:

SS SCS SBs 74 & 49 - Health Care Policy

Page 1067, Line 16, by inserting immediately after said line, the following:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SCS SB 170**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

COMMITTEE MEETINGS

BUDGET

Tuesday, April 19, 2005, 8:00 a.m. Hearing Room 3.
Annual Tax Credit Review pursuant to 33.282, RSMo.
Executive session.
Public hearing to be held on: HJR 12

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HB 590, HB 772, HB 875

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 19, 2005, 6:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 920, SCS SBs 23 & 51

ELECTIONS

Tuesday, April 19, 2005, 6:00 p.m. Hearing Room 5.
Public hearings to be held on: HB 676, HB 929, HB 953
Executive session will be held on: HB 214, HJR 14

HEALTH CARE POLICY

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. AMENDED
Public hearings to be held on: HB 770, HB 805, HB 905, HCR 31

JOINT COMMITTEE ON CORRECTIONS

Monday, April 18, 2005, 8:00 a.m. Hearing Room 1.
Election of Officers, Department of Corrections presentation, other business.

JUDICIARY

Tuesday, April 19, 2005, Hearing Room 7 upon morning recess.
Public hearings to be held on: HJR 23, HCR 29, HB 594, SS SCS SB 346
Executive session will be held on: SB 342,
SCS SBs 420 & 344, SB 320, HB 826, HB 615

LOCAL GOVERNMENT

Tuesday, April 19, 2005, Hearing Room 3 upon morning recess.
Executive session.

PROFESSIONAL REGISTRATION AND LICENSING

Monday, April 18, 2005, House Chamber side gallery upon afternoon adjournment.

Executive session will be held on: HB 182, HB 847

RULES

Monday, April 18, 2005, 8:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HCS HB 854, HCS HB 742,
HCS#2 HB 586, HCS HB 924, HCS HB 972, HCS HB 665,
HCR 23, HCS SB 165, SB 526, SB 479, HCS SCS SB 319

TOURISM

Tuesday, April 19, 2005, 12:00 p.m. Hearing Room 5.

Public hearings to be held on: SB 274, SB 358

Executive session will be held on: HB 754, SB 180

Executive session may be held on: SB 274, SB 358

WAYS AND MEANS

Monday, April 18, 2005, House Chamber side south side gallery upon afternoon adjournment.

Executive session.

HOUSE CALENDAR

FIFTY-SEVENTH DAY, MONDAY, APRIL 18, 2005

HOUSE BILLS FOR PERFECTION

- | | | |
|----|--------------------------------|--------------------------------|
| 1 | HB 376 - Guest | |
| 2 | HCS HB 576 - Flook | |
| 3 | HCS HB 286 - Bland | |
| 4 | HCS HB 519, as amended - Roark | (3 hours debate on Perfection) |
| 5 | HCS HB 474 - Yates | |
| 6 | HCS HB 628 - Byrd | |
| 7 | HCS HB 532 - Spreng | |
| 8 | HCS HB 255 - Cunningham (86) | |
| 9 | HCS HB 387 - Byrd | |
| 10 | HCS HB 525 - May | |
| 11 | HB 530 - Moore | |
| 12 | HCS HB 353 - Lipke | (2 hours debate on Perfection) |
| 13 | HB 205 - Salva | |
| 14 | HCS HB 49 & 50 - Jolly | |
| 15 | HCS HB 36 - Davis | |
| 16 | HCS HB 400 - Yates | |
| 17 | HB 320 - Muschany | |
| 18 | HB 417 - Yates | |

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- 19 HCS HB 440 - Pratt
- 20 HCS HB 649 - Fares
- 21 HB 617, HCA 1 - Kelly
- 22 HB 572 - Stevenson
- 23 HCS HB 560 - Wright (137)
- 24 HCS HB 827 - Portwood
- 25 HCS HB 498 - Kratky
- 26 HCS HB 853 - Loehner
- 27 HCS#2 HB 568 - Stevenson
- 28 HCS HB 691 - Cooper (120)
- 29 HCS HB 863 - Wasson
- 30 HB 832 - Brooks
- 31 HCS HB 866 - Wilson (130)
- 32 HCS HB 640 - Pearce
- 33 HB 291 - Cooper (155)
- 34 HCS HB 272 - Pratt
- 35 HB 196 - Wildberger
- 36 HB 116 - Deeken
- 37 HCS HB 697 - Lembke
- 38 HB 721 - Flook
- 39 HCS HB 824 - Hobbs
- 40 HCS HB 671 - Sutherland
- 41 HCS HB 804 - Smith (118)
- 42 HB 679 - Kraus

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 209 - Cooper (120)

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE JOINT RESOLUTION FOR THIRD READING

SS SJR 1 - Chinn

SENATE BILLS FOR THIRD READING - CONSENT

SCS SB 69, E.C. - Pratt

(4/15/05)

- 1 HCS SCS SB 24 - Schlottach
- 2 SCS SB 68 - Yates
- 3 SB 71 - Nieves
- 4 HCS SCS SB 100 - Dixon
- 5 HCS SCS SBs 103 & 115 - Yates
- 6 SB 131 - Yates
- 7 SCS SB 133 - Yates
- 8 SB 149 - Stevenson
- 9 SB 156 - Richard
- 10 SB 178 - Schaaf
- 11 SB 211 - Cooper (120)
- 12 SCS SB 222 - Sutherland
- 13 HCS SCS SB 246 - Hoskins
- 14 SB 259 - Baker (123)
- 15 SB 261 - Yates
- 16 SCS SB 266 - Fares
- 17 SCS SB 267 - Jackson
- 18 SB 279 - Wasson
- 19 SCS SB 289 - Tilley
- 20 SB 298 - Wright-Jones
- 21 SB 299 - Wright-Jones
- 22 SCS SB 302 - Cunningham (86)
- 23 SB 306 - Dethrow
- 24 HCS SB 307 - Kuessner
- 25 SB 318 - Cooper (120)
- 26 SB 347 - Cooper (155)
- 27 SB 394 - Pearce
- 28 SCS SB 407 - Lipke
- 29 SB 453 - St. Onge
- 30 SB 480 - Kraus
- 31 HCS SB 490 - Pearce
- 32 SCS SB 501 - Stefanick
- 33 SB 507 - Baker (25)
- 34 SB 516 - Richard
- 35 SB 518 - Cooper (155)

(4/18/05)

- 1 SCS SB 6 - Lager
- 2 HCS SB 38 - St. Onge
- 3 SB 122 - Wright (137)
- 4 SB 162 - Cooper (155)
- 5 HCS SB 174, E.C. - Bruns
- 6 HCS SB 177 - Behnen
- 7 HCS SCS SB 182 - Rector
- 8 SB 209 - St. Onge
- 9 HCS SB 216 - Goodman
- 10 SCS SB 227 - Kuessner
- 11 HCS SCS SB 238 - Faith
- 12 SCS SB 247 - Bruns
- 13 SB 265 - Wood
- 14 SB 288 - Lager
- 15 SB 304 - Ervin
- 16 HCS SB 308 - Pollock
- 17 SB 317 - Johnson (47)
- 18 SCS SB 354 - Schlottach
- 19 SB 357 - Smith (118)
- 20 HCS SB 364, E.C. - Franz
- 21 HCS SCS SB 372 - Kuessner
- 22 SCS SB 374 - St. Onge
- 23 SB 396 - Cooper (158)
- 24 HCS SB 401 - Lembke
- 25 SB 418 - Lipke
- 26 HCS SB 422 - Yates
- 27 HCS SCS SB 423 - Lipke
- 28 HCS SCS SB 450 - Portwood
- 29 SCS SB 496 - Kelly
- 30 SCS SB 502, E.C. - Portwood
- 31 SB 521, HCA 1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 270, E.C. - Richard
- 2 HCS SB 21 - Stevenson
- 3 HCS SCS SB 70 - Richard

HOUSE CONCURRENT RESOLUTION

HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, MONDAY, APRIL 18, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You are our rock, our fortress, and our deliverer; our God, our stronghold, in whom we take refuge; our shield, and the power of our salvation, our high tower.

May You, the source of our patience and encouragement, enable us to have a harmonizing point of view among ourselves as we progress through the remaining issues before us to the completion of this session. May we be encouraging examples to all who view these proceedings.

As we return again safely from our time with family, we give thanks that You have kept us safe in our travels and continue to do so. May our service in this great state of Missouri be found acceptable in Your sight.

May You, the source of our peace, be with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Kaci Silvey.

COMMUNICATION FROM THE SECRETARY OF STATE

TO THE CHIEF CLERK OF THE MISSOURI HOUSE

Stephen S. Davis
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 38th Legislative District in the State of Missouri, on the 5th day of April, 2005, as provided by law, the following named person was elected to the office of State Representative, 38th Legislative District as shown by the election results certified to this office by the election authorities of the 38th Legislative District.

Name	Office
Ryan Silvey 8018 N. Elmwood Ave. Lake Spring, MO 65532	State Representative 38 th Legislative District

IN WITNESS WHEREOF, I have hereunto set
my hand and affixed the seal of my office
this 14th day of April, 2005.

/s/ Robin Carnahan
Secretary of State

OATH OF OFFICE

Representative-elect Ryan Silvey advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Rod Jetton, Speaker of the Missouri House of Representatives.

Speaker Pro Tem Bearden assumed the Chair.

The Journal of the fifty-fifth day was approved as printed.

The Journal of the fifty-sixth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2235	-	Representative Storch
House Resolution No. 2236	-	Representative Bringer
House Resolution No. 2237		
through		
House Resolution No. 2240	-	Representative Flook
House Resolution No. 2241	-	Representative Munzlinger
House Resolution No. 2242	-	Representative Wood
House Resolution No. 2243	-	Representative Jackson
House Resolution No. 2244	-	Representative Moore
House Resolution No. 2245		
through		
House Resolution No. 2262	-	Representative Robb
House Resolution No. 2263	-	Representative Cooper (155)
House Resolution No. 2264	-	Representative Emery
House Resolution No. 2265	-	Representative Storch
House Resolution No. 2266	-	Representative Wright (159)
House Resolution No. 2267	-	Representative Dusenberg
House Resolution No. 2268	-	Representative Bowman
House Resolution No. 2269	-	Representative Loehner
House Resolution No. 2270	-	Representative Richard
House Resolution No. 2271	-	Representative Brown (30)
House Resolution No. 2272	-	Representatives Guest and Emery

PERFECTION OF HOUSE BILLS

HCS HB 576, relating to the Small Business Regulatory Fairness Board, was taken up by Representative Flook.

On motion of Representative Flook, **HCS HB 576** was adopted.

On motion of Representative Flook, **HCS HB 576** was ordered perfected and printed.

HCS HB 525, relating to ethics, was taken up by Representative May.

Representative Selby offered **House Amendment No. 1**.

Representative Stevenson raised a point of order that **House Amendment No. 1** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Wildberger offered **House Amendment No. 2**.

Representative Stevenson raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative May, **HCS HB 525** was adopted.

On motion of Representative May, **HCS HB 525** was ordered perfected and printed.

HCS HB 532, relating to sales tax exemption for certain vehicles, was taken up by Representative Spreng.

Representative Spreng offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 532, in Line 2 of the Title, by deleting all of said line and inserting in lieu thereof the following, “**to sales and use tax exemptions.**”; and

Further amend said bill, Page 1, Section 144.051, Line 1, by inserting immediately before said line of said section the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.584, RSMo; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310, RSMo) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation, slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility which converts recovered materials into a new product, or a different form which is used in producing a new product, and shall include a facility or equipment which is used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms "motor vehicle" and "highway" shall have the same meaning pursuant to section 301.010, RSMo;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, RSMo, solely in the transportation of persons or property in interstate commerce;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at

least twenty-five percent recovered materials as defined in section 260.200, RSMo. **There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials.** For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the air conservation commission which may uphold or reverse such action;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the Missouri clean water commission which may uphold or reverse such action;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, solely in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530, RSMo;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section

142.028, RSMo, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use;

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536, RSMo, to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, which is ultimately consumed in connection with the manufacturing of cellular glass products;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property purchased for use or consumption directly or exclusively in the research and development of prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, RSMo, and licensed pursuant to sections 273.325 to 273.357, RSMo;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) Tangible personal property purchased for use or consumption directly or exclusively in research or experimentation activities performed by life science companies and so certified as such by the director of the department of economic development or the director's designees; except that, the total amount of exemptions certified pursuant to this section shall not exceed one million three hundred thousand dollars in state and local taxes per fiscal year. For purposes of this subdivision, the term "life science companies" means companies whose primary research activities are in agriculture, pharmaceuticals, biomedical or food ingredients, and whose North American Industry Classification System (NAICS) Codes fall under industry 541710 (biotech research or development laboratories), 621511 (medical laboratories) or 541940 (veterinary services). The exemption provided by this subdivision shall expire on June 30, 2003;

(38) All sales or other transfers of tangible personal property to a lessor, who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer, to an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo.""; and

Further amend said bill, Page 1, Section 144.051, Line 10, by inserting after all of said line the following:

"Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Spreng, **House Amendment No. 1** was adopted.

On motion of Representative Spreng, **HCS HB 532, as amended**, was adopted.

On motion of Representative Spreng, **HCS HB 532, as amended**, was ordered perfected and printed.

HB 530, relating to American Sign Language, was taken up by Representative Moore.

On motion of Representative Moore, **HB 530** was ordered perfected and printed.

HB 320, relating to lapse of school districts, was taken up by Representative Muschany.

On motion of Representative Muschany, **HB 320** was ordered perfected and printed.

HCS HB 440, relating to university governing boards, was taken up by Representative Pratt.

Representative Behnen assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Pratt, **HCS HB 440** was adopted.

On motion of Representative Pratt, **HCS HB 440** was ordered perfected and printed.

HB 376 was placed on the Informal Calendar.

HCS HB 519, as amended, was placed on the Informal Calendar.

HCS HB 286, relating to the Emancipation Day Commission, was taken up by Representative Bland.

On motion of Representative Bland, **HCS HB 286** was adopted.

On motion of Representative Bland, **HCS HB 286** was ordered perfected and printed.

THIRD READING OF SENATE BILL - CONSENT

SCS SB 69, relating to a conveyance in Jackson County, was taken up by Representative Pratt.

On motion of Representative Pratt, **SCS SB 69** was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Bland	Bringer	Brooks
Brown 50	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Iceet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Black	Bowman	Boykins	Brown 30
George	Marsh	Parker		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Bland	Bringer	Brooks

Brown 50	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Black	Bowman	Boykins	Brown 30
George	Parker			

VACANCIES: 001

PERFECTION OF HOUSE BILL

HCS HB 353, relating to crime, was taken up by Representative Lipke.

Representative Lipke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 353, Page 33, Section 540.031, Line 3 of said section, by deleting said line and by inserting in lieu thereof the following:

“direct. The grand jury [shall] **may** examine public buildings and report on their conditions.”; and

Further amend said bill, Section 542.276, Page 34, Line 44, by deleting said line and by inserting in lieu thereof the following:

“[circuit clerk] **issuing court**”; and

Further amend said bill, Section 577.023, Page 52, Line 66 of said page, by inserting immediately after said line the following:

“577.041. 1. If a person under arrest, or who has been stopped pursuant to subdivision (2) or (3) of subsection 1 of section 577.020, refuses upon the request of the officer to submit to any test allowed pursuant to section 577.020, then none shall be given and evidence of the refusal shall be admissible in a proceeding pursuant to [section] **sections 565.024, [or] 565.060[,] or 565.082**, RSMo, or section 577.010 or 577.012. The request of the officer shall include the reasons of the officer for requesting the person to submit to a test and also shall inform the person that evidence of refusal to take the test may be used against such person and that the person's license shall be immediately revoked upon refusal to take the test. If a person when requested to submit to any test allowed pursuant to section 577.020 requests to speak to an attorney, the person shall be granted twenty minutes in which to attempt to contact an attorney. If upon the completion of the twenty-minute period the person continues to refuse to submit to any test, it shall be deemed a refusal. In this event, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a motor vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person a notice of such person's right to file a petition for review to contest the license revocation.

2. The officer shall make a sworn report to the director of revenue, which shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

(2) That the person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit and the notice of the right to file a petition for review, which notices and permit may be combined in one document; and

(6) Any license to operate a motor vehicle which the officer has taken into possession.

3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit or associate circuit court in the county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation pursuant to this section. Upon the person's request the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing the court shall determine only:

(1) Whether or not the person was arrested or stopped;

(2) Whether or not the officer had:

(a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and

(3) Whether or not the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked pursuant to the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 577.001, or a program determined to be comparable by the department of mental health or the court. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, RSMo, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023, or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010, RSMo, and section 577.001. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rates established pursuant to the provisions of section 32.065, RSMo, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053, RSMo.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 1** was adopted.

Representative Lipke offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 353, Section 570.255, Page 48, Line 27 of said page, by inserting immediately after said line the following:

“570.300. 1. A person commits the crime of theft of cable television service if he:

(1) Knowingly obtains or attempts to obtain cable television service without paying all lawful compensation to the operator of such service, by means of artifice, trick, deception or device; or

(2) Knowingly assists another person in obtaining or attempting to obtain cable television service without paying all lawful compensation to the operator of such service; or

(3) Knowingly connects to, tampers with or otherwise interferes with any cables, wires or other devices used for the distribution of cable television if the effect of such action is to obtain cable television without paying all lawful compensation therefor; or

(4) Knowingly sells, uses, manufactures, rents or offers for sale, rental or use any device, plan or kit designed and intended to obtain cable television service in violation of this section; or

(5) Knowingly attempts to connect to, tamper with, or otherwise interfere with any cable television signal, cables, wires, devices, or equipment, which is used for the distribution of cable television and which results in the unauthorized use of a cable television system or the disruption of the delivery of the cable television service. Nothing in this section shall be construed to prohibit, restrict, or otherwise limit the purchase, sale, or use of any products, including without limitation hardware, software, or other items, intended to provide services and features to a customer who has lawfully obtained a connection from a cable company.

2. Theft of cable television service is a class C felony if the value of the service appropriated is five hundred dollars or more **or if the theft is a violation of subdivision (5) of subsection 1 of this section;** otherwise theft of cable television services is a class A misdemeanor.

3. Any cable television operator may bring an action to enjoin and restrain any violation of the provisions of this section or bring an action for conversion. In addition to any actual damages, an operator may be entitled to punitive damages and reasonable attorney fees in any case in which the court finds that the violation was committed willfully and for purposes of commercial advantage. In the event of a defendant's verdict the defendant may be entitled to reasonable attorney fees.

4. The existence on the property and in the actual possession of the accused of any connection wire, or conductor, which is connected in such a manner as to permit the use of cable television service without the same being reported for payment to and specifically authorized by the operator of the cable television service shall be sufficient to support an inference which the trial court may submit to the trier of fact, from which the trier of fact may conclude that the accused has committed the crime of theft of cable television service.

5. If a cable television company either:

(1) Provides unsolicited cable television service; or

(2) Fails to change or disconnect cable television service within ten days after receiving written notice to do so by the customer, the customer may deem such service to be a gift without any obligation to the cable television company from ten days after such written notice is received until the service is changed or disconnected.

6. Nothing in this section shall be construed to render unlawful or prohibit an individual or other legal entity from owning or operating a video cassette recorder or devices commonly known as a "satellite receiving dish" for the purpose of receiving and utilizing satellite-relayed television signals for his own use.

7. As used in this section, the term "cable television service" includes microwave television transmission from a multipoint distribution service not capable of reception by conventional television receivers without the use of special equipment.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 2** was adopted.

Representative Dusenberg offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 353, Page 3, Section 43.120, Line 30, by inserting after all of said line the following:

“Section A. Chapter 43, RSMo, is amended by adding thereto four new sections, to be known as sections 43.300, 43.310, 43.320 and 43.330, to read as follows:

43.300. Notwithstanding the provisions of subsection 1 of section 43.025, there is hereby created within the Missouri state highway patrol a "Governor's Security Division".

43.310. The superintendent of the Missouri state highway patrol shall appoint from the membership of the patrol, a director of the governor's security division who shall be responsible for the operation of the division.

43.320. 1. The superintendent of the Missouri state highway patrol may assign highway patrol members under the superintendent's command to serve in the governor's security division on a permanent or temporary basis.

2. All salaries, expenses and other costs relating to the assignment of Missouri state highway patrol members to the governor's security division shall be paid within the limits of appropriations from general revenue, or from such other funding as may be authorized by the general assembly.

43.330. 1. The director of the governor's security division shall provide transportation, security, and protection for the governor and the governor's immediate family.

2. At the discretion of the superintendent the director of the governor's security division may also provide transportation, security, and protection for other public officials.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dusenberg, **House Amendment No. 3** was adopted.

Representative Ervin offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 353, Section 195.017, Page 20, Line 524 of said page, by inserting immediately after said line the following:

"195.214. 1. A person commits the offense of distribution of a controlled substance near schools if such person violates section 195.211 by unlawfully distributing or delivering any controlled substance to a person in or on, or within two thousand feet of, the real property comprising a child care facility as defined in section 210.201, RSMo, a public or private elementary or secondary school, public vocational school, or a public or private junior college, college or university or on any school bus.

2. Distribution of a controlled substance near schools is a class A felony which term shall be served without probation or parole if the court finds the defendant is a persistent drug offender.

195.216. 1. A person commits the offense of distribution of a controlled substance near a park if such person violates section 195.211 by unlawfully distributing or delivering any controlled substance to a person in or on, or within two thousand feet of, the real property comprising a public or private park, state park, county park, or municipal park.

2. Distribution of a controlled substance near a park is a class A felony which term shall be served without probation or parole if the court finds the defendant is a persistent drug offender.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ervin, **House Amendment No. 4** was adopted.

Representative Skaggs offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 353, Page 44, Section 559.115, Line 67, by inserting after all of said line the following:

"565.081. 1. A person commits the crime of assault of a law enforcement officer, **security officer**, or emergency personnel in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer, **security officer**, or emergency personnel.

2. As used in this section[,] **the following terms shall mean:**

(1) "Emergency personnel" [means], any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), and (17) of section 190.100, RSMo;

(2) "**Security officer**", **an individual wearing a distinctive uniform or badge indicating the individual's employment as a security officer.**

3. Assault of a law enforcement officer, **security officer**, or emergency personnel in the first degree is a class A felony.

565.082. 1. A person commits the crime of assault of a law enforcement officer, **security officer**, or emergency personnel in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, **security officer**, or emergency personnel by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, **security officer**, or emergency personnel by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, **security officer**, or emergency personnel; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, **security officer**, or emergency personnel;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, **security officer**, or emergency personnel by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, **security officer**, or emergency personnel in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, **security officer**, or emergency personnel.

2. As used in this section[,] **the following terms shall mean:**

(1) "Emergency personnel" [means], any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), and (17) of section 190.100, RSMo;

(2) "**Security officer**", **an individual wearing a distinctive uniform or badge indicating the individual's employment as a security officer.**

3. Assault of a law enforcement officer, **security officer**, or emergency personnel in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony.

565.083. 1. A person commits the crime of assault of a law enforcement officer, **security officer**, or emergency personnel in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, **security officer**, or emergency personnel;

(2) Such person purposely places a law enforcement officer, **security officer**, or emergency personnel in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a law enforcement officer, **security officer**, or emergency personnel without the consent of the law enforcement officer, **security officer**, or emergency personnel.

2. As used in this section[,] **the following terms shall mean:**

(1) "Emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), and (17) of section 190.100, RSMo;

(2) **"Security officer", an individual wearing a distinctive uniform or badge indicating the individual's employment as a security officer.**

3. Assault of a law enforcement officer, **security officer**, or emergency personnel in the third degree is a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Skaggs moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Kratky offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 353, Section 559.036, Page 42, Line 44 of said page, by inserting immediately after said line the following:

"559.105. 1. Any person who has been convicted of or has pled guilty to a violation of subdivision (2) of subsection 1 of section 569.080, RSMo, or paragraph (a) of subdivision (3) of subsection 3 of section 570.030, RSMo, may be ordered by the court to make restitution to the victim for the victim's losses due to such offense. Restitution pursuant to this section shall include, but not be limited to, the following:

(1) A victim's reasonable expenses to participate in the prosecution of the crime;

(2) A victim's payment for any repairs or replacement of the motor vehicle, watercraft, or aircraft; and

(3) A victim's costs associated with towing or storage fees for the motor vehicle caused by the acts of the defendant.

2. No person ordered by the court to pay restitution pursuant to this section shall be released from probation until such restitution is complete. If full restitution is not made within the original term of probation, the court shall order the maximum term of probation allowed for such offense.

3. Any person eligible to be released on parole for a violation of subdivision (2) of subsection 1 of section

569.080, RSMo, or paragraph (a) of subdivision (3) of subsection 3 of section 570.030, RSMo, may be required, as a condition of parole, to make restitution pursuant to this section. The board of probation and parole shall not release any person from any term of parole for such offense until the person has completed such restitution, or until the maximum term of parole for such offense has been served."; and

Further amend said bill, Section 569.050, Page 47, Line 17 of said section, by inserting immediately after said line the following:

"569.080. 1. A person commits the crime of tampering in the first degree if:

(1) He or she for the purpose of causing a substantial interruption or impairment of a service rendered to the public by a utility or by an institution providing health or safety protection, damages or tampers with property or facilities of such a utility or institution, and thereby causes substantial interruption or impairment of service; or

(2) He or she knowingly receives, possesses, sells, alters, defaces, destroys or unlawfully operates an automobile, airplane, motorcycle, motorboat or other motor-propelled vehicle without the consent of the owner thereof.

2. Tampering in the first degree is a class C felony.

3. Upon a finding by the court that the probative value outweighs the prejudicial effect. Evidence of the following is admissible in any criminal prosecution of a person under subdivision (2) of subsection 1 of this section to prove the requisite knowledge or belief:

(1) That he or she received, possessed, sold, altered, defaced, destroyed, or operated an automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle unlawfully on a separate occasion;

(2) That he or she acquired the automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle for a consideration which he or she knew was far below its reasonable value.

569.090. 1. A person commits the crime of tampering in the second degree if he **or she**:

(1) Tamper with property of another for the purpose of causing substantial inconvenience to that person or to another; or

(2) Unlawfully rides in or upon another's automobile, airplane, motorcycle, motorboat or other motor-propelled vehicle; or

(3) Tamper or makes connection with property of a utility; or

(4) Tamper with, or causes to be tampered with, any meter or other property of an electric, gas, steam or water utility, the effect of which tampering is either:

(a) To prevent the proper measuring of electric, gas, steam or water service; or

(b) To permit the diversion of any electric, gas, steam or water service.

2. In any prosecution under subdivision (4) of subsection 1, proof that a meter or any other property of a utility has been tampered with, and the person or persons accused received the use or direct benefit of the electric, gas, steam or water service, with one or more of the effects described in subdivision (4) of subsection 1, shall be sufficient to support an inference which the trial court may submit to the trier of fact, from which the trier of fact may conclude that there has been a violation of such subdivision by the person or persons who use or receive the direct benefit of the electric, gas, steam or water service.

3. Tampering in the second degree is a class A misdemeanor unless:

(1) Committed as a second or subsequent violation of subdivision (4) of subsection 1, in which case it is a class D felony;

(2) The defendant has a prior conviction or has had a prior finding of guilt pursuant to paragraph (a) of subdivision (3) of subsection 3 of section 570.030, RSMo, section 570.080, or subdivision (2) of subsection 1 of this section, in which case it is a class C felony.

570.030. 1. A person commits the crime of stealing if he or she [appropriates]:

(1) **Appropriates** property or services of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion; or

(2) **Obtains control over property or services knowing the property to have been stolen or under such circumstances as would reasonably induce a person to believe that the property was stolen; or**

(3) **Obtains or exerts control over property in the custody of any law enforcement agency which is explicitly represented to him or her by any law enforcement officer or any individual acting on behalf of a law enforcement agency as being stolen; and**

(a) **Intends to deprive the owner permanently of the use or benefit of the property; or**

(b) **Knowingly uses, conceals, or abandons the property in such manner as to deprive the owner permanently of such use or benefit; or**

(c) **Uses, conceals, or abandons the property knowing such use, concealment, or abandonment is likely to deprive the owner permanently of such use or benefit.**

2. Evidence of the following is admissible in any criminal prosecution pursuant to this section on the issue of the requisite knowledge or belief of the alleged stealer:

(1) That he or she failed or refused to pay for property or services of a hotel, restaurant, inn or boardinghouse;

(2) That he or she gave in payment for property or services of a hotel, restaurant, inn or boardinghouse a check or negotiable paper on which payment was refused;

(3) That he or she left the hotel, restaurant, inn or boardinghouse with the intent to not pay for property or services;

(4) That he or she surreptitiously removed or attempted to remove his or her baggage from a hotel, inn or boardinghouse;

(5) That he or she, with intent to cheat or defraud a retailer, possesses, uses, utters, transfers, makes, alters, counterfeits, or reproduces a retail sales receipt, price tag, or universal price code label, or possesses with intent to cheat or defraud, the device that manufactures fraudulent receipts or universal price code labels;

(6) That he or she obtains control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce a person to believe that the property was stolen.

3. Notwithstanding any other provision of law, any offense in which the value of property or services is an element is a class C felony if:

(1) The value of the property or services appropriated is five hundred dollars or more but less than twenty-five thousand dollars; or

(2) The actor physically takes the property appropriated from the person of the victim; or

(3) The property appropriated consists of:

(a) Any motor vehicle, watercraft or aircraft; or

(b) Any will or unrecorded deed affecting real property; or

(c) Any credit card or letter of credit; or

(d) Any firearms; or

(e) A United States national flag designed, intended and used for display on buildings or stationary flagstaffs in the open; or

(f) Any original copy of an act, bill or resolution, introduced or acted upon by the legislature of the state of Missouri; or

(g) Any pleading, notice, judgment or any other record or entry of any court of this state, any other state or of the United States; or

(h) Any book of registration or list of voters required by chapter 115, RSMo; or

(i) Any animal of the species of horse, mule, ass, cattle, swine, sheep, or goat; or

(j) Live fish raised for commercial sale with a value of seventy-five dollars; or

(k) Any controlled substance as defined by section 195.010, RSMo; or

(l) Anhydrous ammonia; or

(m) Ammonium nitrate.

4. If an actor appropriates any material with a value less than five hundred dollars in violation of this section with the intent to use such material to manufacture, compound, produce, prepare, test or analyze amphetamine or methamphetamine or any of their analogues, then such violation is a class C felony. The theft of any amount of anhydrous ammonia or liquid nitrogen, or any attempt to steal any amount of anhydrous ammonia or liquid nitrogen, is a class B felony. The theft of any amount of anhydrous ammonia by appropriation of a tank truck, tank trailer, rail tank car, bulk storage tank, field (nurse) tank or field applicator is a class A felony.

5. The theft of any item of property or services pursuant to subsection 3 of this section which exceeds five hundred dollars may be considered a separate felony and may be charged in separate counts.

6. Any person with a prior conviction of paragraph (i) of subdivision (3) of subsection 3 of this section and who violates the provisions of paragraph (i) of subdivision (3) of subsection 3 of this section when the value of the animal or animals stolen exceeds three thousand dollars is guilty of a class B felony.

7. Any offense in which the value of property or services is an element is a class B felony if the value of the property or services equals or exceeds twenty-five thousand dollars.

8. Any violation of this section for which no other penalty is specified in this section is a class A misdemeanor.

570.040. 1. Every person who has previously pled guilty or been found guilty on two separate occasions of a stealing-related offense where such offenses occurred within ten years of the date of occurrence of the present offense and where the person received and served a sentence of ten days or more on such previous offense and who subsequently pleads guilty or is found guilty of a stealing-related offense is guilty of a class D felony, **unless the subsequent plea or guilty verdict is pursuant to paragraph (a) of subdivision (3) of subsection 3 of section 570.030, in which case the person shall be guilty of a class B felony**, and shall be punished accordingly.

2. As used in this section, the term "stealing-related offense" shall include federal and state violations of criminal statutes against stealing or buying or receiving stolen property and shall also include municipal ordinances against same if the defendant was either represented by counsel or knowingly waived counsel in writing and the judge accepting the plea or making the findings was a licensed attorney at the time of the court proceedings.

3. Evidence of prior guilty pleas or findings of guilt shall be heard by the court, out of the hearing of the jury, prior to the submission of the case to the jury, and the court shall determine the existence of the prior guilty pleas or findings of guilt.

570.080. 1. A person commits the crime of receiving stolen property if for the purpose of depriving the owner of a lawful interest therein, he **or she** receives, retains or disposes of property of another knowing that it has been stolen, or believing that it has been stolen.

2. Evidence of the following is admissible in any criminal prosecution pursuant to this section to prove the requisite knowledge or belief of the alleged receiver:

(1) That he **or she** was found in possession or control of other property stolen on separate occasions from two or more persons;

(2) That he **or she** received other stolen property in another transaction within the year preceding the transaction charged;

(3) That he **or she** acquired the stolen property for a consideration which he **or she** knew was far below its reasonable value;

(4) That he or she obtained control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce a person to believe the property was stolen.

3. Receiving stolen property is a class A misdemeanor unless the property involved has a value of five hundred dollars or more, or the person receiving the property is a dealer in goods of the type in question, in which cases receiving stolen property is a class C felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kratky, **House Amendment No. 6** was adopted.

Representative Jones offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 353, Section 595.209, Page 58, Line 130, by inserting immediately after said line the following:

“650.030. The director of public safety shall have authority to establish a state firearms training and qualification standard for retired law enforcement officers carrying concealed firearms pursuant to 18 U.S.C. 926C of the Law Enforcement Officers Safety Act of 2004, and shall promulgate rules for the implementation of this state standard as required by 18 U.S.C. Section 926C(d)(2)(B). Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones, **House Amendment No. 7** was adopted.

Representative Darrough offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 353, Section 542.276, Page 35, Line 66, by inserting after all of said line the following:

“544.170. 1. [Except as provided in subsection 2 of this section,] all persons arrested and confined in any jail or other place of confinement by any peace officer, without warrant or other process, for any alleged breach of the peace or other criminal offense, or on suspicion thereof, shall be discharged from said custody within [twenty] **thirty-six** hours from the time of such arrest, unless they shall be charged with a criminal offense by the oath of some credible person, and be held by warrant to answer to such offense.

2. [Upon a determination by the commanding officer, or the delegate thereof, of the law enforcement agency making such an arrest, a person arrested for any of the following offenses without warrant or other process of law shall be released from custody within twenty-four hours of arrest, unless the person is charged and held pursuant to a warrant to answer for such offense:

(1) First degree murder pursuant to section 565.020, RSMo;

(2) Second degree murder pursuant to section 565.021, RSMo;

- (3) First degree assault pursuant to section 565.050, RSMo;
- (4) Forcible rape pursuant to section 566.030, RSMo;
- (5) Forcible sodomy pursuant to section 566.060, RSMo;
- (6) First degree robbery pursuant to section 569.020, RSMo; or
- (7) Distribution of drugs pursuant to section 195.211, RSMo.

3.] In any confinement to which the provisions of this section apply, the confinee shall be permitted at any reasonable time to consult with counsel or other persons acting on the confinee's behalf.

[4.] **3.** Any person who violates the provisions of this section, by refusing to release any person who is entitled to release pursuant to this section, or by refusing to permit a confinee to consult with counsel or other persons, or who transfers any such confinees to the custody or control of another, or to another place, or who falsely charges such person, with intent to avoid the provisions of this section, is guilty of a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 353, Section 542.276, Page 35, Line 66, by inserting after all of said line the following:

“544.170. 1. [Except as provided in subsection 2 of this section,] all persons arrested and confined in any jail or other place of confinement by any peace officer, without warrant or other process, for any alleged breach of the peace or other criminal offense, or on suspicion thereof, shall be discharged from said custody within [twenty] **twenty-four** hours from the time of such arrest, unless they shall be charged with a criminal offense by the oath of some credible person, and be held by warrant to answer to such offense.

2. [Upon a determination by the commanding officer, or the delegate thereof, of the law enforcement agency making such an arrest, a person arrested for any of the following offenses without warrant or other process of law shall be released from custody within twenty-four hours of arrest, unless the person is charged and held pursuant to a warrant to answer for such offense:

- (1) First degree murder pursuant to section 565.020, RSMo;
- (2) Second degree murder pursuant to section 565.021, RSMo;
- (3) First degree assault pursuant to section 565.050, RSMo;
- (4) Forcible rape pursuant to section 566.030, RSMo;
- (5) Forcible sodomy pursuant to section 566.060, RSMo;
- (6) First degree robbery pursuant to section 569.020, RSMo; or
- (7) Distribution of drugs pursuant to section 195.211, RSMo.

3.] In any confinement to which the provisions of this section apply, the confinee shall be permitted at any reasonable time to consult with counsel or other persons acting on the confinee's behalf.

[4.] **3.** Any person who violates the provisions of this section, by refusing to release any person who is entitled to release pursuant to this section, or by refusing to permit a confinee to consult with counsel or other persons, or who transfers any such confinees to the custody or control of another, or to another place, or who falsely charges such person, with intent to avoid the provisions of this section, is guilty of a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8.**

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 8

AMEND House Substitute Amendment No. 1 for House Amendment No. 8 to House Committee Substitute for House Bill No. 353, Page 1, Section 544.170, Line 7, by deleting said line and inserting in lieu thereof the following:

“shall be discharged from said custody within 32 hours from the time of such arrest;”.

On motion of Representative Bringer, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8** was adopted by the following vote:

AYES: 093

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Bringer	Bruns	Byrd
Casey	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Darrough	Daus	Day	Deeken
Dethrow	Dixon	Donnelly	Dusenberg	Ervin
Fares	Flook	Fraser	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Icet	Jackson	Johnson 90	Jolly	Kelly
Kingery	Kratky	Kraus	Kuessner	Lembke
LeVota	Liese	Lipke	May	Meadows
Moore	Munzlinger	Muschany	Nieves	Page
Pearce	Pratt	Roark	Robb	Robinson
Roorda	Ruestman	Sander	Schaaf	Schlottach
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Viebrock
Villa	Wagner	Walsh	Walton	Whorton
Wilson 130	Witte	Wright 137	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 060

Bland	Brooks	Brown 50	Burnett	Chinn
Chappelle-Nadal	Cooper 120	Curls	Davis	Dempsey
Denison	Dougherty	El-Amin	Emery	Faith
Fisher	Franz	Hoskins	Hubbard	Hughes
Hunter	Johnson 47	Johnson 61	Jones	Lager
Lampe	Loehner	Low 39	Lowe 44	McGhee
Meiners	Myers	Nance	Nolte	Oxford
Parker	Parson	Phillips	Pollock	Portwood
Quinn	Rector	Richard	Rucker	Rupp
Sater	Schad	Schneider	Smith 14	Tilley
Vogt	Wallace	Wasson	Wells	Weter
Wildberger	Wilson 119	Wood	Wright 159	Wright-Jones

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Black	Bowman	Boykins	Brown 30
George	Marsh	Salva	Smith 118	

VACANCIES: 001

On motion of Representative Cooper (120), **House Substitute Amendment No. 1 for House Amendment No. 8, as amended**, was adopted.

Representative Donnelly offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 353, Section 1, Page 60, Line 44, by inserting immediately after said line the following:

“Section 2. 1. The following words and phrases when used in this section shall mean:

(1) “Political Cyberfraud”, a knowing and willful act concerning a political web site that is committed with the intent to deny a person access to a political web site, deny a person the opportunity to register a domain name for a political web site, or cause a person reasonably to believe that a political web site has been posted by a person other than the person who posted the web site, and would cause a reasonable person, after reading the web site, to believe the site actually represents the views of the proponent or opponent of a ballot measure. Political cyberfraud includes, but is not limited to, any of the following acts:

(a) Intentionally diverting or redirecting access to a political web site to another person’s web site by the use of a similar domain name, meta-tags, or other electronic measures;

(b) Intentionally preventing or denying exit from a political web site by the use of frames, hyperlinks, mousetrapping, popup screens, or other electronic measures;

(c) Registering a domain name that is similar to another domain name for a political web site;

(d) Intentionally preventing the use of a domain name for a political web site by registering and holding the domain name or by reselling it to another with the intent of preventing its use, or both.

(2) “Domain name”, any alphanumeric designation that is registered with or assigned by any domain name registrar, domain name registry, or other domain registration authority as part of an electronic address on the Internet;

(3) “Political Web site”, a Web site that urges or appears to urge the support or opposition of a ballot measure.

2. This act shall be known and may be cited as the “Missouri Political Cyberfraud Act.”

3. It is unlawful for a person, with intent to mislead, deceive, or defraud, to commit an act of political cyberfraud. Such violation shall be a Class B misdemeanor. The court may also order the transfer of a domain name as restitution.

4. This section does not apply to a domain name registrar, registry, or registration authority.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Donnelly moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Bivins	Bland	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fares	Fraser

Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Sander	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Villa	Vogt
Wagner	Walsh	Walton	Weter	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 087

Avery	Baker 123	Bearden	Behnen	Black
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke
Lipke	Loehner	May	McGhee	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sater
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Stefanick	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Bowman	Brown 30	George	Marsh
Moore	Schaaf	Smith 118	Stevenson	

VACANCIES: 001

Representative Cooper (158) offered **House Amendment No. 10**.

Representative Harris (23) raised a point of order that the distribution of **House Amendment No. 10** was not timely.

The Chair ruled the point of order well taken.

On motion of Representative Lipke, **HCS HB 353, as amended**, was adopted.

On motion of Representative Lipke, **HCS HB 353, as amended**, was ordered perfected and printed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 287 - Special Committee on Education Funding

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Pollock is no longer a member of the Appropriations-General Administration Committee.

Representative Wilson (130) is no longer a member of the Small Business Committee.

Representative Denison is no longer a member of the Tourism Committee.

Representative Silvey has been appointed a member of the Appropriations-General Administration Committee, Small Business Committee and the Tourism Committee.

LETTER OF RESIGNATION

April 15, 2005

The Honorable Rod Jetton
Speaker of the House
House of Representatives
State Capitol Building, Room 308
Jefferson City, MO 65101

Dear Mr. Speaker:

Effective Monday, April 18, 2005 at 2:59 p.m. I am resigning as the State Representative from the 150th District, as I will be sworn in as the Senator from the 16th District immediately following.

It has been a great pleasure to serve the constituents from the 150th District and I look forward to representing the 16th Senatorial District. It has also been an honor to serve with you and the members of the House of Representatives.

Please feel free to stop by my Senate office any time, my room number is 425.

Warmest regards,

/s/ Frank Barnitz
State Representative
District 150

WITHDRAWAL OF HOUSE BILL

April 18, 2005

Mr. Stephen S. Davis
Office of the Chief Clerk
Room 306C, State Capitol
Jefferson City, MO 65101

Mr. Davis,

I respectfully request that **House Bill No. 133**, relating to residency requirements for St. Louis City police officers, be withdrawn. Thank you for your consideration in this matter.

Sincerely,

/s/ Representative Charles Portwood
District 92

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, April 19, 2005.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Jason Brown, District 30, hereby state and affirm that my vote as recorded on the motion to adopt House Amendment No. 9 to House Committee Substitute for House Bill No. 353 in the House Journal for Monday, April 18, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of April 2005.

/s/ Jason Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 18th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, April 21, 2005, 8:00 a.m. Hearing Room 5.
House Policy Revisions.

AGRICULTURE POLICY

Tuesday, April 19, 2005, 12:00 p.m. Hearing Room 1.
Possible Executive session.
Public hearings to be held on: HB 211, SCS SB 355,
SB 171, SCS SB 147, SB 187

BUDGET

Tuesday, April 19, 2005, 8:00 a.m. Hearing Room 3.
Annual Tax Credit Review pursuant to 33.282, RSMo.
Executive session.
Public hearing to be held on: HJR 12

CHILDREN AND FAMILIES

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 7.
Executive session may follow.
Public hearing to be held on: HB 970

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HB 590, HB 772, HB 875

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 19, 2005, 6:00 p.m. Hearing Room 1.
Executive session may follow.
Public hearings to be held on: HB 920, SCS SBs 23 & 51

ELECTIONS

Tuesday, April 19, 2005, 6:00 p.m. Hearing Room 5.
Public hearings to be held on: HB 676, HB 929, HB 953
Executive session will be held on: HB 214, HJR 14

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 472, HB 909, HB 946

HEALTH CARE POLICY

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 6.
Executive session may follow. AMENDED
Public hearings to be held on: HB 770, HB 805, HB 905, HCR 31

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, April 20, 2005, 12:00 p.m. Hearing Room 6.

Senate bills will be heard first.

Executive session may follow.

Public hearings to be held on: HB 89, HB 787, HB 837,
HB 884, SB 99, SS SB 343

JUDICIARY

Tuesday, April 19, 2005, Hearing Room 7 upon morning recess.

Executive session will follow. AMENDED

Public hearings to be held on: HJR 23, HCR 29,
HB 594, SS SCS SB 346, SB 232

LOCAL GOVERNMENT

Tuesday, April 19, 2005, upon morning recess Hearing Room 6.

Executive session. AMENDED

LOCAL GOVERNMENT

Thursday, April 21, 2005, 8:00 a.m. Hearing Room 6.

Public hearings to be held on: HB 778, SCS SB 468, SS SCS SB 32

Executive session will be held on: SCS SB 468, HB 778, SS SCS SB 32

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 19, 2005, 6:00 p.m. Hearing Room 6.

Committee hearing will begin at 6:00 p.m. or upon adjournment, whichever is later.

Executive session may follow.

Public hearings to be held on: HB 896, SS SCS SB 287

TOURISM

Tuesday, April 19, 2005, 12:00 p.m. Hearing Room 5.

Public hearings to be held on: SB 274, SB 358

Executive session will be held on: HB 754, SB 180

Executive session may be held on: SB 274, SB 358

TRANSPORTATION

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 653, HB 469, HB 817

HOUSE CALENDAR

FIFTY-EIGHTH DAY, TUESDAY, APRIL 19, 2005

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 474 - Yates
- 2 HCS HB 628 - Byrd

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- 3 HCS HB 255 - Cunningham (86)
- 4 HCS HB 387 - Byrd
- 5 HB 205 - Salva
- 6 HCS HB 49 & 50 - Jolly
- 7 HCS HB 36 - Davis
- 8 HCS HB 400 - Yates
- 9 HB 417 - Yates
- 10 HCS HB 649 - Fares
- 11 HB 617, HCA 1 - Kelly
- 12 HB 572 - Stevenson
- 13 HCS HB 560 - Wright (137)
- 14 HCS HB 827 - Portwood
- 15 HCS HB 498 - Kratky
- 16 HCS HB 853 - Loehner
- 17 HCS#2 HB 568 - Stevenson
- 18 HCS HB 691 - Cooper (120)
- 19 HCS HB 863 - Wasson
- 20 HB 832 - Brooks
- 21 HCS HB 866 - Wilson (130)
- 22 HCS HB 640 - Pearce
- 23 HB 291 - Cooper (155)
- 24 HCS HB 272 - Pratt
- 25 HB 196 - Wildberger
- 26 HB 116 - Deeken
- 27 HCS HB 697 - Lembke
- 28 HB 721 - Flook
- 29 HCS HB 824 - Hobbs
- 30 HCS HB 671 - Sutherland
- 31 HCS HB 804 - Smith (118)
- 32 HB 679 - Kraus
- 33 HCS HB 91 - Johnson (47)
- 34 HCS HB 192 - Sander

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 209 - Cooper (120)

- 3 HCS HB 576 - Flook
- 4 HCS HB 525 - May
- 5 HCS HB 532 - Spreng
- 6 HB 530 - Moore
- 7 HB 320 - Muschany
- 8 HCS HB 440 - Pratt
- 9 HCS HB 286 - Bland
- 10 HCS HB 353 - Lipke

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE JOINT RESOLUTION FOR THIRD READING

SS SJR 1 - Chinn

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/05)

- 1 HCS SCS SB 24 - Schlottach
- 2 SCS SB 68 - Yates
- 3 SB 71 - Nieves
- 4 HCS SCS SB 100 - Dixon
- 5 HCS SCS SBs 103 & 115 - Yates
- 6 SB 131 - Yates
- 7 SCS SB 133 - Yates
- 8 SB 149 - Stevenson
- 9 SB 156 - Richard
- 10 SB 178 - Schaaf
- 11 SB 211 - Cooper (120)
- 12 SCS SB 222 - Sutherland
- 13 HCS SCS SB 246 - Hoskins
- 14 SB 259 - Baker (123)
- 15 SB 261 - Yates
- 16 SCS SB 266 - Fares
- 17 SCS SB 267 - Jackson
- 18 SB 279 - Wasson
- 19 SCS SB 289 - Tilley
- 20 SB 298 - Wright-Jones
- 21 SB 299 - Wright-Jones
- 22 SCS SB 302 - Cunningham (86)

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- 23 SB 306 - Dethrow
- 24 HCS SB 307 - Kuessner
- 25 SB 318 - Cooper (120)
- 26 SB 347 - Cooper (155)
- 27 SB 394 - Pearce
- 28 SCS SB 407 - Lipke
- 29 SB 453 - St. Onge
- 30 SB 480 - Kraus
- 31 HCS SB 490 - Pearce
- 32 SCS SB 501 - Stefanick
- 33 SB 507 - Baker (25)
- 34 SB 516 - Richard
- 35 SB 518 - Cooper (155)

(4/18/05)

- 1 SCS SB 6 - Lager
- 2 HCS SB 38 - Ruestman
- 3 SB 122 - Wright (137)
- 4 SB 162 - Cooper (155)
- 5 HCS SB 174, E.C. - Bruns
- 6 HCS SB 177 - Behnen
- 7 HCS SCS SB 182 - Rector
- 8 SB 209 - Pearce
- 9 HCS SB 216 - Goodman
- 10 SCS SB 227 - Kuessner
- 11 HCS SCS SB 238 - Faith
- 12 SCS SB 247 - Bruns
- 13 SB 265 - Wood
- 14 SB 288 - Lager
- 15 SB 304 - Ervin
- 16 HCS SB 308 - Pollock
- 17 SB 317 - Johnson (47)
- 18 SCS SB 354 - Schlottach
- 19 SB 357 - Smith
- 20 HCS SB 364, E.C. - Franz
- 21 HCS SCS SB 372 - Kuessner
- 22 SCS SB 374 - Zweifel
- 23 SB 396 - Cooper (158)
- 24 HCS SB 401 - Lembke
- 25 SB 418 - Lipke
- 26 HCS SB 422 - Yates
- 27 HCS SCS SB 423 - Lipke
- 28 HCS SCS SB 450, E.C. - Portwood
- 29 SCS SB 496 - Kelly
- 30 SCS SB 502, E.C. - Portwood
- 31 SB 521, HCA 1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 270, E.C. - Richard
- 2 HCS SB 21 - Stevenson
- 3 HCS SCS SB 70 - Richard

HOUSE CONCURRENT RESOLUTION

HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-EIGHTH DAY, TUESDAY, APRIL 19, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

On a beautiful morning, let us pray from Psalm 148.

Praise the Lord from the Earth...

Kings of the Earth and all peoples,
Princes and all rulers of the Earth!
Young men and women alike,
Old and young together!

Let them praise the name of the Lord,
For His name alone is exalted;
His glory is above Earth and Heaven.
(Psalm 148:7.11-13)

Almighty God, from our faith we praise You, in our prayer throughout the day we praise You. May our work this day be in such harmony with Your will that through it we praise You! You are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kevin Koines, Christine Brethorst, Kristen Lilley, Anna Stroop, Chelsea Becker, Amanda Hargraves, Mia Nealey, Leslie Samford, Jonathan Willis, Jessica Willis, Camille Ovington, Ashlee Coleman, Katherine Schnelle, Rachel Schnelle, Benjamin Schnelle, Devin Burmeister and Kerri Burmeister.

The Journal of the fifty-seventh day was approved as printed.

SPECIAL RECOGNITION

Rolland "Ron" Kjar of St. Charles was introduced by Representative Rupp and recognized as an Outstanding Missourian.

Dr. Irvine Edward "Irv" Kilbane of Joplin was introduced by Representative Richard and recognized as an Outstanding Missourian.

Wayne Schnelle of Lockwood was introduced by Representative Emery and recognized as an Outstanding Missourian.

Gary A. Dyer, M.D., of St. Joseph was introduced by Representative Schaaf and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2273 - Representative Rupp
House Resolution No. 2274 - Representative Jetton
House Resolution No. 2275 - Representatives Bland and Curls
House Resolution No. 2276 - Representative Witte
House Resolution No. 2277 - Representative Franz
House Resolution No. 2278
through
House Resolution No. 2280 - Representative Cooper (158)

PERFECTION OF HOUSE BILLS

HCS HB 36, relating to midwives, was taken up by Representative Davis.

Representative Skaggs offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 36, Page 2, Section 210.029, Line 23, by inserting after all of said line the following:

"4. No physician, certified nurse midwife, or hospital providing emergency medical care or treatment of a woman or infant arising during childbirth as a consequence of the care received by a midwife or caregiver under this section shall be liable for any civil damages for any act or omission resulting from the rendering of such services unless such act or omission was the result of gross negligence or willful misconduct."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

HCS HB 36, as amended, was laid over.

HCS HB 400, relating to the Dental Carve-Out Act, was taken up by Representative Yates.

Representative Rupp offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 400, Page 1, Section 208.680, Line 1, by adding after said section the following:

“Section 1. Any entity submitting a bid for a program established under the provisions of this act, shall be actuarially sound and shall provide proof of network and adequacy of network prior to the submission of the bid. No bid shall be accepted by the state of Missouri without meeting the provisions established by this section.”.

HCS HB 400, with House Amendment No. 1, pending, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SCS SB 69** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Bearden resumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2281

and

House Resolution No. 2282 - Representative Smith (118)

House Resolution No. 2283

through

House Resolution No. 2294 - Representative Kratky

House Resolution No. 2295 - Representative Cunningham (145)

House Resolution No. 2296 - Representatives Cunningham (145) and Moore

House Resolution No. 2297 - Representative Fares

House Resolution No. 2298 - Representative Cooper (158)

House Resolution No. 2299 - Representative Cunningham (145)

House Resolution No. 2300

through

House Resolution No. 2313 - Representative Moore

House Resolution No. 2314 - Representative Witte

House Resolution No. 2315 - Representative Jetton

House Resolution No. 2316

through

House Resolution No. 2329 - Representative Hobbs

House Resolution No. 2330 - Representative Pratt

House Resolution No. 2331

through

House Resolution No. 2333 - Representative Wood

House Resolution No. 2334

through

House Resolution No. 2347 - Representative Black

House Resolution No. 2348 - Representative Villa

PERFECTION OF HOUSE BILLS

HCS HB 400, with House Amendment No. 1, pending, relating to the Dental Carve-Out Act, was again taken up by Representative Yates.

Representative Witte offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 400, Page 1, Section 208.680, Line 1, by adding after said section the following:

“Section 1. Any entity submitting a bid for a program established under the provisions of this act, shall be actuarially sound and shall provide proof of network and adequacy of network prior to the submission of the bid. No bid shall be accepted by the state of Missouri without meeting the provisions established by this section. Any entity submitting a bid for a program established under the provisions of this act that has an established headquarters in this state shall be given a preference by the state of Missouri. Such preference shall recognize the contributions to the local economics of the state. Any entity submitting a bid for a program established by this act shall have previously demonstrated successful delivery of dental services to a majority of the current managed care providers. Any request for proposal, bid let or contract awarded shall only apply to the fee for services portion of the Medicaid program. The provisions of this act shall not go into effect unless an appropriation exists which establishes a reimbursement to dentists at 75% of usual and customary fees for dental services.”.

Representative Yates raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Lampe requested a division of the question on **House Substitute Amendment No. 1 for House Amendment No. 1**.

The division of the question was denied by the Chair.

Representative Witte moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Rupp, **House Amendment No. 1** was adopted.

Representative Harris (23) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 400, Page 1, Section 208.680, Line 1, by adding after said section the following:

“Section 1. The attorney general shall have full prosecutorial authority over any provider or recipient in any program established by this act.”.

On motion of Representative Harris (23), **House Amendment No. 2** was adopted.

Representative Rupp offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 400, Page 1, Section 208.680, Line 1, by adding after said section the following:

“Section 1. The department of social services shall have the authority to carve out any service provided under any portion of a managed care contract which it believes would result in cost savings to the taxpayers of Missouri.”.

Representative Rupp moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Yates, **HCS HB 400, as amended**, was adopted.

On motion of Representative Yates, **HCS HB 400, as amended**, was ordered perfected and printed.

HB 417, relating to uninsured motorists, was taken up by Representative Yates.

Representative Burnett offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Bill No. 417, Page 1, Section 303.390.2(2), Line 12, by deleting the words “by clear and convincing evidence”.

Representative Byrd offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 417, Page 1, Section 303.390, Line 12, by deleting the word “demonstrated” and inserting in lieu thereof the word “proven”.

On motion of Representative Byrd, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Burnett, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean George Hubbard Oxford

VACANCIES: 001

Representative Yates offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 417, Page 2, Section 303.390, Line 15, by inserting at the end of said line the following:

"The provisions of this section shall not apply to an uninsured motorist whose immediately previous insurance policy meeting the requirements of section 303.190 was terminated or nonrenewed for failure to pay the premium, unless notice of termination or nonrenewal for failure to pay such premium was provided by such insurer at least thirty days prior to the time of the accident."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Yates, **House Amendment No. 2** was adopted.

Representative Page offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Bill No. 417, Page 2, Section 303.390, Line 28, by inserting after all of said line the following:

"7. The department of revenue, or the department's designee, shall notify each applicant for a motor vehicle license in writing of the provisions of this section on application or renewal for a motor vehicle license."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Page moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Yates, **HB 417, as amended**, was ordered perfected and printed.

HB 205, relating to child support payments, was taken up by Representative Salva.

On motion of Representative Salva, **HB 205** was ordered perfected and printed.

HCS#2 HB 568, relating to the protection of children, was taken up by Representative Stevenson.

Representative Franz offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute No. 2 for House Bill No. 568, Page 2, Section 210.117, Line 14 of said page, by inserting after the word “**child**” the words:

“**in the home**”; and

Further amend said bill, Page 3, Section 211.038, Line 14 of said page, by inserting after the word “**child**” the words “**in the home**”; and

Further amend said bill, Page 9, Section 452.375, Line 53 of said page, by inserting after the word “**child**” the words “**in the home**”; and

Further amend said bill, Page 12, Section 452.400, Line 21 of said page, by inserting after the word “**child**” the words “**in the home**”; and

Further amend said bill, Page 13, Section 452.400, Line 63 of said page, by inserting after the word “**child**” the words “**in the home**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Franz moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Stevenson, **HCS#2 HB 568** was adopted.

On motion of Representative Stevenson, **HCS#2 HB 568** was ordered perfected and printed.

HB 617, with House Committee Amendment No. 1, relating to watershed districts, was taken up by Representative Kelly.

Representative Kelly offered **House Substitute Amendment No. 1 for House Committee Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Committee Amendment No. 1*

AMEND House Bill No. 617, Section 249.1150, Page 2, Line 26, by inserting immediately after said line the following:

“**2. Any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but fewer than thirteen thousand one hundred seventy-five inhabitants, any county of the third classification without a township form of government and with more than nine thousand four hundred fifty but fewer than nine thousand five hundred fifty inhabitants, or any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but fewer than eighteen thousand inhabitants shall not be included again in a watershed improvement district under this section without a majority vote of the qualified voters of such county.**”; and

Further renumber all subsections of said section accordingly; and

Further amend said section, Page 4, Line 122, by inserting after said line the following:

"13. For a watershed improvement district located in any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but fewer than thirteen thousand one hundred seventy-five inhabitants, any county of the third classification without a township form of government and with more than nine thousand four hundred fifty but fewer than nine thousand five hundred fifty inhabitants, or any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but fewer than eighteen thousand inhabitants, upon the filing of a petition signed by at least twenty percent of the qualified voters of the county requesting inclusion of the county within a watershed improvement district, the governing body of such county shall at the next general or primary election submit the question to the qualified voters of the county. The ballot submission shall be in substantially the following form:

Shall County be included within the watershed improvement district?

☐ Yes

☐ No

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in the county favor the proposal submitted under this subsection, the county shall be included within the district. If a majority of the votes cast in the county oppose the proposal submitted under this subsection, the county shall not be included within the district.”; and

Further amend Section 249.1152, Page 4, Line 1 of said section, by inserting an open bracket “[“ immediately before section number 249.1152; and

Further amend said section, Page 9, Line 175 of said section, by inserting a closed bracket “]” immediately following the period; and

Further amend said line of said section, by inserting immediately following said line the following:

[249.1154. The governing body of any county, by order or ordinance or upon the filing of a petition signed by at least twenty percent of the property owners in an area proposed for designation under this section, may designate groundwater depletion areas within a watershed improvement district created under section 249.1150 or 249.1152 and may require well volume monitoring.

249.1155. After August 28, 2004, any county within a watershed improvement district may require that all septic systems be maintained or pumped every five years by a licensed provider. In the event a county requires that all septic systems be so maintained or pumped the owner of any septic system shall submit proof of maintenance or pumping to the county department of health or the state department of health and senior services if appropriate which shall determine what shall constitute proof of compliance with the requirement. In addition, the county department of health or the state department of health and senior services if appropriate may charge septic tank owners a reasonable fee for monitoring compliance with the requirement.

640.635. Any person or laboratory performing an analysis of wastewater shall be licensed to perform the analysis by the department of natural resources. The department shall determine by rule or regulation the licensing criteria. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. The department may require the person or laboratory obtaining a license under this section to pay a fee to the department for licensure. The fee shall be set at a level not to exceed the cost and expense of administrating this section.]

644.076. 1. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed ten thousand dollars per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. A civil monetary penalty pursuant to this section shall not be assessed for a violation where an administrative penalty was assessed pursuant to section 644.079. The commission, the chair of a watershed district's board of trustees created under section 249.1150 [or 249.1152], or the director may request either the attorney general or a prosecuting attorney to bring any action authorized in this section in the name of the people of the state of Missouri. Suit may be brought in any county where the defendant's principal place of business is located or where the water contaminant or point source is located or was located at the time the violation occurred. Any offer of settlement to resolve a civil penalty pursuant to this section shall be in writing, shall state that an action for imposition of a civil penalty may be initiated by the attorney general or a prosecuting attorney representing the department pursuant to this section, and shall identify any dollar amount as an offer of settlement which shall be negotiated in good faith through conference, conciliation and persuasion.

2. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.

3. Any person who willfully or negligently commits any violation set forth pursuant to subsection 1 of this section shall, upon conviction, be punished by a fine of not less than two thousand five hundred dollars nor more than twenty-five thousand dollars per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this section by any person shall be punished by a fine of not more than fifty thousand dollars per day of violation, or by imprisonment for not more than two years, or both.

4. The liabilities which shall be imposed pursuant to any provision of sections 644.006 to 644.141 upon persons violating the provisions of sections 644.006 to 644.141 or any standard, rule, limitation, or regulation adopted pursuant thereto shall not be imposed due to any violation caused by an act of God, war, strike, riot, or other catastrophe.

701.031. Property owners of all buildings where people live, work or assemble shall provide for the sanitary disposal of all domestic sewage. Except as provided in this section, sewage and waste from such buildings shall be disposed of by discharging into a sewer system regulated pursuant to chapter 644, RSMo, or shall be disposed of by discharging into an on-site sewage disposal system operated as defined by rules promulgated pursuant to sections 701.025 to 701.059. [Any person installing on-site sewage disposal systems shall be registered to do so by the department of health and senior services.] The owner of a single-family residence lot consisting of three acres or more, or the owner of a residential lot consisting of ten acres or more with no single-family residence on-site sewage disposal system located within three hundred sixty feet of any other on-site sewage disposal system and no more than one single-family residence per each ten acres in the aggregate, except lots adjacent to lakes operated by the Corps of Engineers or by a public utility, shall be excluded from the provisions of sections 701.025 to 701.059 and the rules promulgated pursuant to sections 701.025 to 701.059, including provisions relating to the construction, operation, major modification and major repair of on-site disposal systems, when all points of the system are located in excess of ten feet from any adjoining property line and no effluent enters an adjoining property, contaminates surface waters or groundwater or creates a nuisance as determined by a readily available scientific method. Except as provided in this section, any construction, operation, major modification or major repair of an on-site sewage disposal system shall be in accordance with rules promulgated pursuant to sections 701.025 to 701.059, regardless of when the system was originally constructed. The provisions of subdivision (2) of subsection 1 of section 701.043 shall not apply to lots located in subdivisions under the jurisdiction of the department of natural resources which are required by a consent decree, in effect on or before May 15, 1984, to have class 1, National Sanitation Federation (NSF) aerated sewage disposal systems.

701.038. 1. The department of health and senior services or any of its agents may not investigate a sewage complaint except when necessary as part of a communicable disease investigation unless the complaint is received from an aggrieved party **or**[,] an adjacent landowner, [or any two residents of the county]. The department of health and senior services or any of its agents may enter any adjoining property if necessary when they are making an inspection pursuant to this section. The necessity for entering such adjoining property shall be stated in writing and the owner of such property shall be notified before the department or any of its agents may enter, except that, if an imminent health hazard exists, such notification shall be attempted but is not required.

2. If the department or its agents make an investigation pursuant to a complaint as described in subsection 1 of this section and find that a nuisance does exist, the property owner shall comply with state and local standards when repairing or replacing the on-site sewage disposal system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wood offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Committee Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Committee Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Committee Amendment No. 1 to House Bill No. 617, Page 2, Lines 19 through 23, by deleting all of said lines and inserting in lieu thereof the following:

AMEND House Bill No. 617, Page 5, Section 249.1152, Line 33, by deleting "at least twenty percent" and inserting in lieu thereof the following: "at least [twenty] **fifty** percent"; and

Further amend said amendment, Page 3, Lines 2 through 22, by deleting all of said lines and inserting after the word “monitoring.” the following:

“]
249.1155. After August 28, 2004, any county within a watershed improvement district may require that all septic systems **on property benefited by the district** be maintained or pumped every five years by a licensed provider. [In the event a county requires that all septic systems be so maintained or pumped] The owner of any septic system **benefited by the district** shall submit proof of maintenance or pumping to the county department of health or the state department of health and senior services if appropriate which shall determine what shall constitute proof of compliance with the requirement. In addition, the county department of health or the state department of health and senior services if appropriate may charge septic tank owners a reasonable fee for monitoring compliance with the requirement.”; and

Further amend said amendment, Page 5, Line 17, by inserting after said line the following:

“640.635. Any [person or] **private** laboratory performing an analysis of wastewater shall be licensed to perform the analysis by the department of natural resources. The department shall determine by rule or regulation the licensing criteria. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. The department may require the person or laboratory obtaining a license under this section to pay a fee to the department for licensure. The fee shall be set at a level not to exceed the cost and expense of administering this section.”; and

Further amend said amendment, Page 6, Line 21, and Page 7, Lines 1 through 10, by deleting said lines and inserting in lieu thereof the following:

“701.038. 1. The department of health and senior services or any of its agents may not investigate a sewage complaint except when necessary as part of a communicable disease investigation unless the complaint is received from an aggrieved party, an adjacent landowner, or any two residents of the county. The department of health and senior services or any of its agents may enter any adjoining property if necessary when they are making an inspection pursuant to this section. The necessity for entering such adjoining property shall be stated in writing and the owner of such property shall be notified before the department or any of its agents may enter, except that, if an imminent health hazard exists, such notification shall be attempted but is not required.

2. If the department or its agents make an investigation pursuant to a complaint as described in subsection 1 of this section and find that a nuisance does exist, the property owner shall comply with state and local standards when repairing or replacing the on-site sewage disposal system.

3. For purposes of this section the term "resident of the county" means any person who owns and occupies real property in the county.

[249.1154. The governing body of any county, by order or ordinance or upon the filing of a petition signed by at least twenty percent of the property owners in an area proposed for designation under this section, may designate groundwater depletion areas within a watershed improvement district created under section 249.1150 or 249.1152 and may require well volume monitoring.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wood moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Committee Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Bowman	Brooks	Brown 50	Chappelle-Nadal	Curls
Darrough	Dixon	Donnelly	Dougherty	El-Amin
Fraser	Harris 23	Haywood	Hoskins	Jolly
Lampe	LeVota	Liese	Low 39	Lowe 44
Meiners	Nolte	Roorda	Rucker	Sater
Schoemehl	Storch	Viebrock	Vogt	Walsh
Wasson	Weter	Whorton	Witte	Wood
Wright 137	Yaeger	Zweifel		

NOES: 112

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Dempsey	Dethrow	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 110	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lembke
Lipke	Loehner	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Page	Parker	Parson	Pearce

Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Ruestman	Rupp	Salva	Sander	Schaaf
Schad	Schlottach	Schneider	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Spreng
Stefanick	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Villa	Wagner	Wallace	Wells
Wildberger	Wilson 130	Wright 159	Wright-Jones	Yates
Young	Mr Speaker			

PRESENT: 002

Johnson 61 Wilson 119

ABSENT WITH LEAVE: 010

Bean	Boykins	Denison	George	Hubbard
Marsh	Oxford	Smith 118	Stevenson	Walton

VACANCIES: 001

On motion of Representative Kelly, **House Substitute Amendment No. 1 for House Committee Amendment No. 1** was adopted.

Representative Cunningham (145) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 617, Section 249.1150, Page 1, Line 13, by inserting immediately before the word “any” the word “**and**”; and

Further amend said page, Line 15, by deleting the word “**and**”; and

Further amend said line by inserting immediately before the word “any” an open bracket “[“; and

Further amend said section, Page 2, Line 17, by deleting the open bracket “[“; and

Further amend Section 249.1152, Page 9, Line 159, by inserting immediately after the comma “,” the following:

“**any county of the third classification without a township form of government and with more than thirty-one thousand but fewer than thirty-one thousand one hundred inhabitants,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cunningham (145), **House Amendment No. 1** was adopted.

On motion of Representative Kelly, **HB 617, as amended**, was ordered perfected and printed.

HCS HB 649, relating to the elderly and disabled income tax credit, was taken up by Representative Fares.

Representative Parson assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Baker (25) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 649, Page 3, Section 135.097, Line 56, by inserting after said line the following:

“An eligible taxpayer shall not be allowed to claim the tax credit for the year that the homestead is sold.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Baker (25), **House Amendment No. 1** was adopted.

On motion of Representative Fares, **HCS HB 649, as amended**, was adopted.

On motion of Representative Fares, **HCS HB 649, as amended**, was ordered perfected and printed.

On motion of Representative Dempsey, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

PERFECTION OF HOUSE BILLS

HCS HB 827, relating to disabled employees’ medical assistance, was taken up by Representative Portwood.

Representative Portwood offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 827, Page 6, Section 208.146, Line 166, by inserting after said language the following:

“16. Notwithstanding any other provision of law to the contrary, in any given fiscal year, any persons made eligible for medical assistance benefits under this section shall only be eligible if annual appropriations are made for such eligibility. This subsection shall not apply to classes of individuals listed in 42 U.S.C. Section 1396a(a)(10)(A)(I).

17. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act, the provisions of the new program authorized under section 208.146 shall sunset on June 30, 2008.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 1** was adopted.

Representative Portwood offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 827, Page 1, Lines 3 and 4 of the Title, by deleting the words “, with an emergency clause”; and

Further amend said bill, Page 1, Section 208.146, Lines 1 and 2, by inserting an opening bracket “[“ and a closing bracket “]” around the words “the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA) (Public Law 106-170)”; and

Further amend said section, Page 2, Line 25, by deleting the words “**one-time**”; and

Further amend said section, Page 4, Lines 101 through 103, by deleting all of said lines and inserting in lieu thereof the word “**determination.**” and by renumbering the subsection accordingly; and

Further amend said section, Page 5, Lines 155 and 156, by deleting the words “**and shall be permanently barred from participation in any state-funded medical assistance program**”; and

Further amend said bill, Page 6, Section B, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 2** was adopted.

Representative Bringer offered **House Amendment No. 3**.

Representative Wright (137) raised a point of order that **House Amendment No. 3** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Bowman offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 827, Page 6, Section 208.146, Line 166, by inserting after all of said line the following:

"16. Notwithstanding any other provision of law to the contrary, any resident of this state who otherwise meets the eligibility requirements for medical assistance benefits under this section, and whose family income is one hundred percent or less of the federal poverty level shall be eligible to receive medical assistance benefits under this section. For purposes of this section "employed on a full-time basis" means a person who is employed an average of thirty-five hours per week for at least two calendar quarters immediately preceding the determination of eligibility."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wright (137) raised a point of order that **House Amendment No. 4** amends previously amended material and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Bowman moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Donnelly offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 827, Page 5, Section 208.146, Lines 143 and 144, by deleting the words "**one hundred**" and inserting in lieu thereof the word "**twenty**"; and

Further amend said bill, Page 5, Section 208.146, Line 146, by deleting the words "**two hundred**" and inserting in lieu thereof the word "**fifty**"; and

Further amend said bill, Page 5, Section 208.146, Line 148, by deleting the words "**three hundred**" and inserting in lieu thereof the words "**one hundred**"; and

Further amend said bill, Page 5, Section 208.146, Line 149, by deleting the words "**four hundred**" and inserting in lieu thereof the words "**one hundred fifty**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Nieves offered **House Amendment No. 1 to House Amendment No. 5**.

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 827, Page 1 of the amendment, Line 3, by deleting the word "**fifty**" and by inserting in lieu thereof the word "**ninety**"; and

Further amend said amendment, Lines 5 and 6, by deleting said lines and by inserting in lieu thereof the following:

'by deleting the words "**two hundred**" and by inserting in lieu thereof the words "**one hundred ninety**"; and

Further amend said amendment, Line 9, by deleting said line and by inserting in lieu thereof the following:

'thereof the words "**two hundred ninety**" and'; and

Further amend said amendment, Lines 11 and 12, by deleting said lines and by inserting in lieu thereof the following:

'by deleting the words "**four hundred**" and inserting in lieu thereof the words "**three hundred ninety**".

On motion of Representative Nieves, **House Amendment No. 1 to House Amendment No. 5** was adopted.

House Amendment No. 5, as amended, was withdrawn.

On motion of Representative Portwood, **HCS HB 827, as amended**, was adopted.

On motion of Representative Portwood, **HCS HB 827, as amended**, was ordered perfected and printed.

HCS HBs 49 & 50, relating to alternative sentencing procedures, was taken up by Representative Jolly.

On motion of Representative Jolly, **HCS HBs 49 & 50** was adopted.

On motion of Representative Jolly, **HCS HBs 49 & 50** was ordered perfected and printed.

HCS HB 691, relating to non-gaming amusement devices, was taken up by Representative Cooper (120).

Representative Rupp offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 691, Page 3, Section 572.010, Line 79, by inserting after all of said line the following:

"572.070. 1. A person commits the crime of possession of a gambling device if, with knowledge of the character thereof, he manufactures, sells, transports, places or possesses, or conducts or negotiates any transaction affecting or designed to affect ownership, custody or use of:

(1) A slot machine **other than a slot machine sold, purchased, or otherwise acquired pursuant to section 572.125**; or

(2) Any other gambling device, knowing or having reason to believe that it is to be used in the state of Missouri in the advancement of unlawful gambling activity.

2. Possession of a gambling device is a class A misdemeanor.

572.125. 1. It shall be [an affirmative defense to any prosecution under this chapter relating to slot machines, if the defendant shows that the slot machine is an antique slot machine and was not operated for gambling purposes while in the defendant's possession. For the purposes of this section, an antique slot machine is one which is over thirty years] **lawful for any person to sell or purchase or otherwise acquire any slot machine for operation at the residence of the owner, if such slot machine is not operated for gambling purposes. Such ownership or operation of a slot machine shall not be the basis for prosecution for any gambling offense under this chapter.**

2. Notwithstanding section 572.120, [whenever the defense provided by subsection 1 of this section is offered,] no slot machine seized from any defendant shall be destroyed or otherwise altered until after a final court determination that such [defense is not applicable. If the defense is applicable, any such slot machine shall be returned pursuant to provisions of law providing for the return of property] **machine was operated for gambling purposes.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rupp, **House Amendment No. 1** was adopted.

On motion of Representative Cooper (120), **HCS HB 691, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS HB 691, as amended**, was ordered perfected and printed.

HCS HB 36, as amended, relating to midwives, was again taken up by Representative Davis.

Representative Page moved that **HCS HB 36, as amended**, be recommitted to the Committee on Professional Registration and Licensing.

Which motion was defeated.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby

Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Day	Dougherty	Marsh
Walton				

VACANCIES: 001

On motion of Representative Davis, **HCS HB 36, as amended**, was adopted.

On motion of Representative Davis, **HCS HB 36, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 353 - Fiscal Review (Fiscal Note)

HCS HB 532 - Fiscal Review (Fiscal Note)

HCS HB 576 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Budget, Chairman Lager reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 12**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 346**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 138**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 268**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Tourism, Chairman Marsh reporting:

Mr. Speaker: Your Committee on Tourism, to which was referred **SB 180**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism, to which was referred **SB 274**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism, to which was referred **SB 358**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 784**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 952**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 310**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 586**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 591, 210, 377, 760 & 777**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 665**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of two (2) hours for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 742**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 854**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 924**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 972**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 165**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin.**

Mr. Speaker: Your Committee on Rules, to which was referred **SB 479**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **SB 526**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 6.**

SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 6

WHEREAS, Taiwan and the United States enjoy one of the most important economic and strategic international relationships that exists today; and

WHEREAS, together, Taiwan and the United States promote a shared belief in freedom, democracy, and market principles; and

WHEREAS, the level of mutual investment between Taiwan and the United States is quite high; and

WHEREAS, streamlined foreign investment procedures developed under a Taiwan-United States free trade agreement would lead to further investment by firms in both Taiwan and the United States and would create new business opportunities and new jobs; and

WHEREAS, a Taiwan-United States free trade agreement would encourage greater innovations and manufacturing efficiencies by stimulating joint technological development, practical applications, and new cooperative ventures; and

WHEREAS, a recent study by the United States International Trade Commission supports the negotiation of a Taiwan-United States free trade agreement; and

WHEREAS, a Taiwan-United States free trade agreement would build on the existing strong relations between Taiwan and the United States to simultaneously boost Taiwan's security and democracy and serve the broader interests of the United States in the Asia-Pacific region:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby support the negotiations of a Taiwan-United States free trade agreement; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Taipei Economic and Cultural Office in Kansas City.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 8**.

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, good health is important to every citizen of the world and access to the highest standards of health information and services is necessary to improve the public health; and

WHEREAS, direct and unobstructed participation in international health cooperation forums and programs is beneficial for all parts of the world, especially with today's greater potential for the cross-border spread of various infectious diseases; and

WHEREAS, Taiwan's population of 23,500,000 people is greater than three-fourths of the member states already in the World Health Organization; and

WHEREAS, Taiwan's achievements in the field of health are substantial, including achieving one of the highest life expectancy levels in Asia; lowering maternal and infant mortality rates to a level comparable to those of western countries; eradicating such infectious diseases as cholera, smallpox, the plague, and polio; and providing children with hepatitis B vaccinations; and

WHEREAS, the United States Centers for Disease Control and Prevention and its Taiwan counterpart agencies have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, in recent years Taiwan has expressed a willingness to assist financially and technically in international aid and health activities supported by the World Health Organization; and

WHEREAS, the World Health Assembly has allowed observers to participate in the activities of the organization, including the Palestine Liberation Organization in 1974, the Order of Malta, and the Holy See in the early 1950s; and

WHEREAS, the United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations:

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the World Health Organization and to the Taipei Economic and Cultural Office in Kansas City.

ADJOURNMENT

CORRECTIONS TO THE HOUSE JOURNAL

State of Missouri)
County of Cole) ss.
)

Subscribed and sworn to before me this 19th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS

Thursday, April 21, 2005, 8:00 a.m. Hearing Room 4.

House Policy Revisions. Executive session may follow. AMENDED

AGRICULTURE POLICY

Wednesday, April 20, 2005, House Chamber side gallery upon afternoon recess.

Executive session will be held on: SB 187

CHILDREN AND FAMILIES

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 970

CONSERVATION AND NATURAL RESOURCES

Wednesday, April 20, 2005, 6:00 p.m. Hearing Room 1.

Possible Executive session.

CORRECTIONS AND PUBLIC INSTITUTIONS

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 590, HB 772, HB 875

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 472, HB 909, HB 946

HEALTH CARE POLICY

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 770, HB 805, HB 905, HCR 31

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, April 20, 2005, 12:00 p.m. Hearing Room 6.

Senate bills will be heard first. Executive session may follow.

Public hearings to be held on: HB 89, HB 787, HB 837, HB 884, SB 99, SS SB 343

LOCAL GOVERNMENT

Thursday, April 21, 2005, 8:00 a.m. Hearing Room 6.

Executive session. AMENDED

Public hearings to be held on: HB 778, SCS SB 468, SS SCS SB 32

RULES

Wednesday, April 20, 2005, 12:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 784, HB 880, HCS SB 189,

SCS SB 170, SCS SB 272, SB 286, HCS SCS SB 252,

HCS SB 42, HCS SCS SB 10 & 27

SENIOR CITIZEN ADVOCACY

Thursday, April 21, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 736, HB 887, SCS SBs 75 & 353

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 21, 2005, 8:30 a.m. Hearing Room 5.

Executive session may follow. CANCELLED

Public hearing to be held on: HB 759

SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 2, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: HB 911

SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, April 21, 2005, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HCR 28, SS SB 95

TRANSPORTATION

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 653, HB 469, HB 817

UTILITIES

Wednesday, April 20, 2005, Hearing Room 5 upon morning recess.

Executive session may occur.

Public hearings to be held on: HCR 33, SS SCS SB 462

WAYS AND MEANS

Wednesday, April 20, 2005, Hearing Room 5 upon afternoon recess.

Possible Executive session.

Public hearings to be held on: HB 916, SS SB 362

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 20, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 197

HOUSE CALENDAR

FIFTY-NINTH DAY, WEDNESDAY, APRIL 20, 2005

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 474 - Yates
- 2 HCS HB 628 - Byrd
- 3 HCS HB 255 - Cunningham (86)
- 4 HCS HB 387 - Byrd
- 5 HB 572 - Stevenson
- 6 HCS HB 560 - Wright (137)
- 7 HCS HB 498 - Kratky
- 8 HCS HB 853 - Loehner
- 9 HCS HB 863 - Wasson
- 10 HB 832 - Brooks
- 11 HCS HB 866 - Wilson (130)
- 12 HCS HB 640 - Pearce
- 13 HB 291 - Cooper (155)
- 14 HCS HB 272 - Pratt
- 15 HB 196 - Wildberger
- 16 HB 116 - Deeken
- 17 HCS HB 697 - Lembke
- 18 HB 721 - Flook
- 19 HCS HB 824 - Hobbs
- 20 HCS HB 671 - Sutherland
- 21 HCS HB 804 - Smith (118)
- 22 HB 679 - Kraus
- 23 HCS HB 91 - Johnson (47)
- 24 HCS HB 192 - Sander
- 25 HCS HB 665 - Behnen
- 26 HCS HB 742 - Bearden
- 27 HCS HB 854 - Richard
- 28 HCS HB 924 - Wallace
- 29 HCS HB 972 - Jetton

(2 hours debate on Perfection)

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 209 - Cooper (120)
- 3 HCS HB 576, (Fiscal Review 4-19-05) - Flook
- 4 HCS HB 525 - May
- 5 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 6 HB 530 - Moore
- 7 HB 320 - Muschany
- 8 HCS HB 440 - Pratt
- 9 HCS HB 286 - Bland
- 10 HCS HB 353, (Fiscal Review 4-19-05) - Lipke
- 11 HCS HB 400 - Yates
- 12 HB 417 - Yates
- 13 HB 205 - Salva
- 14 HCS#2 HB 568 - Stevenson
- 15 HB 617 - Kelly
- 16 HCS HB 649 - Fares
- 17 HCS HB 827 - Portwood
- 18 HCS HB 49 & 50 - Jolly
- 19 HCS HB 691 - Cooper (120)
- 20 HCS HB 36 - Davis

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE JOINT RESOLUTION FOR THIRD READING

SS SJR 1 - Chinn

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/05)

- 1 HCS SCS SB 24 - Schlottach
- 2 SCS SB 68 - Yates
- 3 SB 71 - Nieves
- 4 HCS SCS SB 100 - Dixon
- 5 HCS SCS SBs 103 & 115 - Yates
- 6 SB 131 - Yates
- 7 SCS SB 133 - Yates
- 8 SB 149 - Stevenson
- 9 SB 156 - Richard
- 10 SB 178 - Schaaf
- 11 SB 211 - Cooper (120)
- 12 SCS SB 222 - Sutherland
- 13 HCS SCS SB 246 - Villa
- 14 SB 259 - Baker (123)
- 15 SB 261 - Yates
- 16 SCS SB 266 - Fares
- 17 SCS SB 267 - Jackson
- 18 SB 279 - Wasson
- 19 SCS SB 289 - Tilley
- 20 SB 298 - Wright-Jones
- 21 SB 299 - Wright-Jones
- 22 SCS SB 302 - Cunningham (86)
- 23 SB 306 - Dethrow
- 24 HCS SB 307 - Kuessner
- 25 SB 318 - Cooper (120)
- 26 SB 347 - Cooper (155)
- 27 SB 394 - Pearce
- 28 SCS SB 407 - Lipke
- 29 SB 453 - St. Onge
- 30 SB 480 - Kraus
- 31 HCS SB 490 - Pearce
- 32 SCS SB 501 - Stefanick
- 33 SB 507 - Baker (25)
- 34 SB 516 - Richard
- 35 SB 518 - Cooper (155)

(4/18/05)

- 1 SCS SB 6 - Lager
- 2 HCS SB 38 - Ruestman
- 3 SB 122 - Wright (137)

- 4 SB 162 - Cooper (155)
- 5 HCS SB 174, E.C. - Bruns
- 6 HCS SB 177 - Behnen
- 7 HCS SCS SB 182 - Rector
- 8 SB 209 - Pearce
- 9 HCS SB 216 - Goodman
- 10 SCS SB 227 - Kuessner
- 11 HCS SCS SB 238 - Faith
- 12 SCS SB 247 - Bruns
- 13 SB 265 - Wood
- 14 SB 288 - Lager
- 15 SB 304 - Ervin
- 16 HCS SB 308 - Pollock
- 17 SB 317 - Johnson (47)
- 18 SCS SB 354 - Schlottach
- 19 SB 357 - Smith (118)
- 20 HCS SB 364, E.C. - Franz
- 21 HCS SCS SB 372 - Kuessner
- 22 SCS SB 374 - Zweifel
- 23 SB 396 - Cooper (158)
- 24 HCS SB 401 - Lembke
- 25 SB 418 - Lipke
- 26 HCS SB 422 - Yates
- 27 HCS SCS SB 423 - Lipke
- 28 HCS SCS SB 450, E.C. - Portwood
- 29 SCS SB 496 - Kelly
- 30 SCS SB 502, E.C. - Portwood
- 31 SB 521, HCA 1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 270, E.C. - Richard
- 2 HCS SB 21 - Stevenson
- 3 HCS SCS SB 70 - Richard
- 4 SCS SB 73 - Weter
- 5 HCS SCS#2 SB 155 - Kingery
- 6 SCS SB 258 - Baker (123)
- 7 SB 367 - Hunter
- 8 SB 378 - Boykins
- 9 SCS SB 390 - Pratt
- 10 SB 488, HCA 1 - Robinson

HOUSE CONCURRENT RESOLUTION

HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

FIFTY-NINTH DAY, WEDNESDAY, APRIL 20, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we come into Your presence with thanksgiving; we make a joyful sound to You with songs of admiration throughout the day!

We do not forget Your wonderful actions done on our behalf: When we were burdened with worries, You comforted us and made us feel secure. In times of trouble, You were there, picking us up when life knocked us down.

You, LORD God, are our fortress, that mighty rock where we are safe.

Today, we ask that You fill us with the true knowledge of Your will in all wisdom and spiritual insight, that we might conduct ourselves in a manner You find worthy, to please You in all things, being effective in every good work and increasing in that same true knowledge that only originates from You.

Grace be with us all.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Preston Dever Stevenson, Curtis Andrew Keal, Jordan Witcig, Joshua Witcig, Jonah Witcig, Cassie Ireland, Kaci Silvey and Dusty Taylor.

The Journal of the fifty-eighth day was approved as printed.

SPECIAL RECOGNITION

Dr. Frank Nickell of Cape Girardeau was introduced by Representative Cooper (158) and recognized as an Outstanding Missourian.

Dr. John Keiser of Springfield was introduced by Representative Wright (137) and recognized as an Outstanding Missourian.

Miss Teen Missouri, Rachel Woolard of Naylor, was introduced by Representative Dethrow.

Miss Woolard addressed the House.

The University of Missouri-Kansas City Kangaroo Basketball Team was introduced by Representative Hughes and recognized for their performance in the 2004-2005 season.

The West Plains High School Boys and Girls Cross Country Teams were introduced by Representative Franz and recognized for attaining the 2004 Class 3-A State Championships.

The Clopton Lady Hawks Basketball Team was introduced by Representative Witte and recognized for attaining the 2004 Class 2-A State Basketball Championship.

Speaker Pro Tem Bearden assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2349

through

House Resolution No. 2357 - Representative Whorton

House Resolution No. 2358 - Representative Nance

House Resolution No. 2359 - Representative Roark

House Resolution No. 2360 - Representative Lager

House Resolution No. 2361 - Representative Sander

PERFECTION OF HOUSE BILL

HCS HB 697, relating to motor vehicle emissions, was taken up by Representative Lembke.

Representative Portwood offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 697, Page 9, Section B, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

“Section B. The provisions of sections 1, 307.366, 643.315, and 643.335 of section A shall terminate January 1, 2006.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Portwood moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Avery	Bearden	Behnen	Bivins
Bringer	Brown 50	Bruns	Casey	Corcoran
Cunningham 86	Curls	Davis	Day	Dempsey
Dougherty	Faith	Fares	George	Harris 110
Haywood	Henke	Hoskins	Hubbard	Icet
Jackson	Johnson 61	Johnson 90	Jones	Lager
Lembke	Liese	Marsh	Meadows	Moore

Muschany	Nieves	Page	Parker	Portwood
Richard	Roark	Roorda	Rupp	Salva
Schaaf	Schlottach	Schneider	Schoemehl	Selby
Self	Skaggs	Smith 14	Stefanick	Sutherland
Tilley	Viebrock	Villa	Wagner	Walsh
Whorton	Wildberger	Wright 137	Yaeger	Zweifel
Mr Speaker				

NOES: 089

Baker 25	Baker 123	Black	Bland	Bowman
Brooks	Brown 30	Burnett	Byrd	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Daus	Deeken	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Hobbs	Hughes	Hunter
Johnson 47	Jolly	Kelly	Kingery	Kratky
Kraus	Lampe	LeVota	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meiners
Munzlinger	Myers	Nance	Nolte	Oxford
Parson	Pearce	Phillips	Pollock	Pratt
Quinn	Rector	Robb	Robinson	Rucker
Ruestman	Sander	Sater	Schad	Shoemyer
Silvey	Smith 118	Spreng	Stevenson	Storch
Swinger	Vogt	Wallace	Walton	Wasson
Wells	Weter	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	

PRESENT: 003

Kuessner	St. Onge	Wilson 119
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ABSENT WITH LEAVE: 004

Bean	Boykins	Darrough	Threlkeld
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VACANCIES: 001

Representative Byrd assumed the Chair.

Representative Hobbs offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 697, Page 2, Section 307.366, Lines 17 through 19, by deleting all of said lines and inserting in lieu thereof the following:

“(1) Motor vehicles with a manufacturer’s gross vehicle weight rating in excess of eight thousand five hundred pounds;

(2) Motor vehicles within the first four years of the specific model year for such motor vehicle;”; and

Further amend said section by renumbering the subsection accordingly; and

Further amend said section and page, Line 41, by removing the opening bracket “ [“ and on Line 44, by removing the closing bracket “]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Selby offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1
to
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 697, Page 1, Line 5, by deleting the word “**four**” and inserting in lieu thereof the following:

“**ten**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 697, with House Amendment No. 1 to House Amendment No. 2 and House Amendment No. 2, pending, was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2362 - Representative Deeken
House Resolution No. 2363 - Representatives Guest and Jolly
House Resolution No. 2364 - Representative Fraser
House Resolution No. 2365 - Representative Wells
House Resolution No. 2366
through
House Resolution No. 2379 - Representative LeVota
House Resolution No. 2380 - Representative Lipke

PERFECTION OF HOUSE BILLS

HCS HB 863, relating to tax incentives for economic development, was taken up by Representative Wasson.

Representative Wasson offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 863, Section 99.1082, Page 1, Line 4, by deleting the words “**economic activity**” and inserting in lieu thereof the words “**local sales tax revenue**”; and

Further amend said page, Line 5, by deleting the words “**taxes**”; and

Further amend said bill, Section 99.1086, Page 7, Line 21, by inserting immediately after the word “**area**” the following:

“**. The department of economic development shall have the discretion to exempt smaller projects from this requirement**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 1** was adopted.

Representative Witte offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 863, Section 99.1082, Page 4, Line 85, by deleting the word “**one**” and inserting in lieu thereof the words “**ten thousand**”; and

Further amend said line, by inserting after the semi-colon “;” the word “**or**”; and

Further amend said line, by inserting after all of said line the following:

“(d) **At least two hundred fifty thousand dollars for a project area within a city having a population of one to nine thousand nine hundred and ninety nine inhabitants.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Witte, **House Amendment No. 2** was adopted.

On motion of Representative Wasson, **HCS HB 863, as amended**, was adopted.

On motion of Representative Wasson, **HCS HB 863, as amended**, was ordered perfected and printed.

HCS HB 866, relating to insurance fraud, was taken up by Representative Wilson (130).

Representative Shoemyer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 866, Section 375.146, Page 2, Line 6, by inserting after the first occurrence of the word, “**to**” the following word, “**twice**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lipke offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 866, Section 375.146, Page 1, Line 5, by deleting after the word, “**court**” the word, “**shall**” and inserting in lieu thereof the word, “**may**”; and

Further amend said section, Page 2, Line 6, by inserting after the first occurrence of the word, “**to**” the following word, “**twice**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lipke, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Zweifel offered **House Amendment No. 2**.

Representative Stevenson raised a point of order that **House Amendment No. 2** is drafted as a substitute and goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

On motion of Representative Wilson (130), **HCS HB 866, as amended**, was adopted.

On motion of Representative Wilson (130), **HCS HB 866, as amended**, was ordered perfected and printed.

HCS HB 498, relating to auto theft, was taken up by Representative Kratky.

Representative Wasson assumed the Chair.

On motion of Representative Kratky, **HCS HB 498** was adopted.

On motion of Representative Kratky, **HCS HB 498** was ordered perfected and printed.

HCS HB 640, relating to unsolicited commercial e-mail, was taken up by Representative Pearce.

Speaker Pro Tem Bearden resumed the Chair.

Representative Wildberger offered **House Amendment No. 1**.

Representative Roark raised a point of order that **House Amendment No. 1** goes beyond the scope of the title of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Pearce, **HCS HB 640** was adopted.

On motion of Representative Pearce, **HCS HB 640** was ordered perfected and printed.

HB 291, relating to state water patrol funding, was taken up by Representative Cooper (155).

Representative Wasson resumed the Chair.

Representative Cooper (155) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 291, Section 306.185, Page 4, Line 6, by deleting the word “**personal**” and inserting in lieu thereof the word “**personnel**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (155), **House Amendment No. 1** was adopted.

HB 291, as amended, was laid over.

HB 116, relating to rights of persons with service dogs, was taken up by Representative Deeken.

Speaker Pro Tem Bearden resumed the Chair.

Representative Cunningham (86) offered **House Amendment No. 1**.

Representative Myers raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Fraser offered **House Amendment No. 2**.

Representative Myers raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Behnen assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Deeken, **HB 116** was ordered perfected and printed.

HB 832, relating to restrictive covenants, was taken up by Representative Sanders Brooks.

On motion of Representative Sanders Brooks, **HB 832** was ordered perfected and printed.

HB 196, relating to statute of limitations for arson, was taken up by Representative Wildberger.

Representative Wildberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 196, Page 2, Section 556.036, Line 40, by inserting after said line the following:

“569.040. 1. A person commits the crime of arson in the first degree when he knowingly damages a building or inhabitable structure, and when any person is then present or in near proximity thereto, by starting a fire or causing an explosion and thereby recklessly places such person in danger of death or serious physical injury[.], **or**

2. A person commits the crime of arson in the first degree when he commits or attempts to commit a felony, and in the perpetration or attempted perpetration of such felony, damages a building or inhabitable structure, and when any person is then present or in near proximity thereto, by causing a fire or an explosion and thereby places such person in danger of death or serious physical injury.

[2.] **3.** Arson in the first degree is a class B felony unless a person has suffered serious physical injury or has died as a result of the fire or explosion set by the defendant in which case arson in the first degree is a class A felony.

569.050. 1. A person commits the crime of arson in the second degree when he knowingly damages a building or inhabitable structure by starting a fire or causing an explosion[.], **or**

2. A person commits the crime of arson in the second degree when he commits or attempts to commit a felony, and in the perpetration or attempted perpetration of such felony, damages a building or inhabitable structure by causing a fire or an explosion.

[2.] **3.** A person does not commit a crime under **subsection 1 of** this section if:

(1) No person other than himself has a possessory, proprietary or security interest in the damaged building, or if other persons have those interests, all of them consented to his conduct; and

(2) His sole purpose was to destroy or damage the building for a lawful and proper purpose.

[3.] **4.** The defendant shall have the burden of injecting the issue under subsection 2 of this section.

[4.] **5.** Arson in the second degree is a class C felony unless a person has suffered serious physical injury or has died as a result of the fire or explosion set by the defendant in which case arson in the second degree is a class B felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wildberger, **House Amendment No. 1** was adopted.

On motion of Representative Wildberger, **HB 196, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HCS HB 209, relating to business license tax, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HCS HB 209** was read the third time and passed by the following vote:

AYES: 097

Aull
Bivins
Brown 50
Cooper 155

Avery
Black
Bruns
Cooper 158

Baker 123
Bland
Casey
Cunningham 145

Bearden
Bringer
Chinn
Cunningham 86

Behnen
Brown 30
Cooper 120
Curls

Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Emery	Ervin	Faith	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hughes	Hunter	Icet	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kraus	Kuessner	Lembke	Lipke	Lowe 44
May	McGhee	Meadows	Meiners	Munzlinger
Myers	Nance	Nieves	Parker	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Rucker
Ruestman	Sater	Schad	Schlottach	Schoemehl
Selby	Shoemyer	Silvey	Smith 14	Spreng
Stefanick	Stevenson	St. Onge	Sutherland	Tilley
Viebrock	Wagner	Wallace	Wasson	Weter
Wildberger	Wilson 130	Wood	Wright 137	Wright 159
Young	Mr Speaker			

NOES: 055

Baker 25	Bowman	Brooks	Burnett	Chappelle-Nadal
Corcoran	Darrough	Daus	Denison	Donnelly
Dougherty	Dusenberg	El-Amin	Fares	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Johnson 47	Lager	Lampe
LeVota	Liese	Loehner	Low 39	Moore
Muschany	Nolte	Oxford	Page	Parson
Robinson	Schaaf	Schneider	Self	Skaggs
Smith 118	Storch	Swinger	Threlkeld	Villa
Walsh	Walton	Wells	Whorton	Wilson 119
Witte	Wright-Jones	Yaeger	Yates	Zweifel

PRESENT: 002

Byrd	Roorda
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ABSENT WITH LEAVE: 008

Bean	Boykins	Kratky	Marsh	Rupp
Salva	Sander	Vogt		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

On motion of Representative Goodman, the House recessed until 8:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2381	-	Representative Brown (50)
House Resolution No. 2382	-	Representative Robb

PERFECTION OF HOUSE BILL

HCS HB 824, relating to air contamination regulations, was taken up by Representative Hobbs.

Representative Hobbs offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 824, Sections 444.765 and 444.766, by deleting all of said sections and inserting in lieu of the following:

“444.765. Wherever used or referred to in sections 444.760 to 444.790, unless a different meaning clearly appears from the context, the following terms mean:

(1) "Affected land", the pit area or area from which overburden shall have been removed, or upon which overburden has been deposited after September 28, 1971. When mining is conducted underground, affected land means any excavation or removal of overburden required to create access to mine openings, except that areas of disturbance encompassed by the actual underground openings for air shafts, portals, adits and haul roads in addition to disturbances within fifty feet of any openings for haul roads, portals or adits shall not be considered affected land. Sites which exceed the excluded areas by more than one acre for underground mining operations shall obtain a permit for the total extent of affected lands with no exclusions as required under sections 444.760 to 444.790;

(2) **"Beneficiation", the dressing or processing of minerals for the purpose of regulating the size of the desired product, removing unwanted constituents, and improving the quality or purity of a desired product;**

(3) **"Commercial purpose", the purpose of extracting minerals for their value in sales to other persons or for incorporation into a product;**

(4) "Commission", the land reclamation commission in the department of natural resources;

(5) **"Construction", construction, erection, alteration, maintenance, or repair of any facility including but not limited to any building, structure, highway, road, bridge, viaduct, water or sewer line, pipeline or utility line, and demolition, excavation, land clearance, and moving of minerals or fill dirt in connection therewith;**

[(3)] (6) "Director", the staff director of the land reclamation commission;

(7) **"Excavation", any operation in which earth, minerals, or other material in or on the ground is moved, removed, or otherwise displaced for purposes of construction at the site of excavation, by means of any tools, equipment, or explosives and includes, but is not limited to, backfilling, grading, trenching, digging, ditching, drilling, well-drilling, auguring, boring, tunneling, scraping, cable or pipe plowing, plowing-in, pulling-in, ripping, driving, demolition of structures, and the use of high-velocity air to disintegrate and suction to remove earth and other materials. For purposes of this section, excavation or removal of overburden for purposes of mining for a commercial purpose or for purposes of reclamation of land subjected to surface mining is not included in this definition. Neither shall excavations of sand and gravel by political subdivisions using their own personnel and equipment or private individuals for personal use be included in this definition;**

(8) **"Fill dirt", material removed from its natural location through mining or construction activity, which is a mixture of unconsolidated earthy material, which may include some minerals, and which is used to fill, raise, or level the surface of the ground at the site of disposition, which may be at the site it was removed or on other property, and which is not processed to extract mineral components of the mixture. Backfill material for use in completing reclamation is not included in this definition;**

(9) **"Land improvement", work performed by or for a public or private owner or lessor of real property for purposes of improving the suitability of the property for construction at an undetermined future date, where specific plans for construction do not currently exist;**

[(4)] (10) "Mineral", a constituent of the earth in a solid state which, when extracted from the earth, is usable in its natural form or is capable of conversion into a usable form as a chemical, an energy source, or raw material for manufacturing or construction material. For the purposes of this section, this definition includes barite, tar sands, and oil shales, but does not include iron, lead, zinc, gold, silver, coal, surface or subsurface water, fill dirt, natural oil or gas together with other chemicals recovered therewith;

(11) **"Mining", the removal of overburden and extraction of underlying minerals or the extraction of minerals from exposed natural deposits for a commercial purpose, as defined by this section;**

[(5)] (12) "Operator", any person, firm or corporation engaged in and controlling a surface mining operation;

[(6)] (13) "Overburden", all of the earth and other materials which lie above natural deposits of minerals; and also means such earth and other materials disturbed from their natural state in the process of surface mining other than what is defined in subdivision [(4)] (10) of this section;

[(7)] (14) "Peak", a projecting point of overburden created in the surface mining process;

[(8)] (15) "Pit", the place where minerals are being or have been mined by surface mining;

(16) "Public entity", the state or any officer, official, authority, board, or commission of the state and any county, city, or other political subdivision of the state, or any institution supported in whole or in part by public funds;

[(9)] (17) "Refuse", all waste material directly connected with the cleaning and preparation of substance mined by surface mining;

[(10)] (18) "Ridge", a lengthened elevation of overburden created in the surface mining process;

[(11)] (19) "Site" or "mining site", any location or group of associated locations where minerals are being surface mined by the same operator;

[(12)] (20) "Surface mining", the mining of minerals for commercial purposes by removing the overburden lying above natural deposits thereof, and mining directly from the natural deposits thereby exposed, and shall include mining of exposed natural deposits of such minerals over which no overburden lies and, after August 28, 1990, the surface effects of underground mining operations for such minerals. **For purposes of the provisions of sections 444.760 to 444.790, surface mining shall not include excavations to move minerals or fill dirt within the confines of the real property where excavation occurs or to remove minerals or fill dirt from the real property in preparation for construction at the site of excavation. No excavation of fill dirt shall be deemed surface mining regardless of the site of disposition or whether construction occurs at the site of excavation.**

444.766. No provision of sections 447.760 to 444.790 shall apply to the excavation of minerals or fill dirt for the purposes of construction or land improvement as unrelated to the mining of minerals for a commercial purpose or reclamation of land subsequent to the surface mining of minerals.

1. No permit is required under sections 444.760 to 444.790 for the purpose of moving minerals or fill dirt within the confines of real property where excavation occurs, or for purposes of removing minerals or fill dirt from the real property as provided in this section.

(1). Excavations for construction pursuant to engineering plans and specifications prepared by an architect, professional engineer, or landscape architect licensed pursuant to chapter 327, RSMo, or any excavation for construction performed under a written contract that requires excavation of minerals or fill dirt and establishes dates for completion of work and specifies the terms of payment for work, shall be presumed to be for the purposes of construction and shall not require a permit for surface mining.

(2). Excavations for purposes of land improvement where minerals removed from the site are excess minerals that cannot be used on-site for any practical purpose and at no time are subjected to crushing, screening, or other means of beneficiation with the exception of removal of tree limbs and stumps, shall be presumed to be for the purposes of land improvement and shall not require a permit for surface mining, provided that:

(a) The site has not been designated as a surface mine by the federal Mine Safety and Health Administration;

(b) Minerals from the property are not used for commercial purposes on a frequent or on-going basis; and

(c) A pit, peak, or ridge does not persist at the site as inconsistent with the purposes of land improvement.

(3). Permits shall not be required for the excavation of fill dirt, regardless of the site of disposition or whether construction occurs at the site of excavation.

2. (1) If the director or his or her designee determines that a surface mining permit is required for real property which is purported to be for purposes of construction or land improvement not requiring a surface mining permit under this section, such determination shall be sent in writing to the owner of the property by certified mail stating the reasons for such determination. Upon request of the person receiving the letter, an informal conference shall be scheduled with the director within fifteen calendar days to discuss the determination. Following the informal conference, the director shall issue a written determination regarding his or her findings of fact no later than thirty calendar days after the date of the conference. If the director agrees that a surface mining permit is required and the person disagrees with that decision, the person may make a written request for a hearing before the commission at its next regular meeting. Such written request shall be filed within thirty calendar days after receipt of the director's written determination, except when the thirtieth day would be later than the date of the next regularly scheduled commission meeting, the written request shall be filed at least seven days prior to the commission meeting unless the director and the person filing the request mutually agree to place

the matter on the commission's agenda for a later meeting. The commission shall issue a written determination as to whether a surface mining permit is required under this state's law within thirty calendar days after the hearing. The written determination may be appealed as provided under this chapter.

(2) Until a final written determination has been issued under the process established under subdivision (1) of this subsection, the person receiving a letter stating the reasons a mining permit is required may continue activity at the site in dispute. The commission may stay the director's determination. If the final written determination is that a permit is required, all fees otherwise provided by statute or rules of the commission shall apply. If the determination is that no permit is required, no permit fees shall be required by the director or the commission.

(3) The process set out in this subsection for determining whether a mining permit is required shall not be subject to the hearing requirements of section 444.789."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hobbs, **House Amendment No. 1** was adopted.

On motion of Representative Hobbs, **HCS HB 824, as amended**, was adopted.

On motion of Representative Hobbs, **HCS HB 824, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HCS HB 525, relating to ethics, was taken up by Representative May.

On motion of Representative May, **HCS HB 525** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118

Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 50	Donnelly	Marsh
Parker	Rupp	Salva	Schneider	Vogt

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 530, relating to American Sign Language, was taken up by Representative Moore.

On motion of Representative Moore, **HB 530** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Swinger	Threlkeld	Tilley	Viebrock	Villa

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Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 002

Fraser	Johnson 47
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PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Brooks	Brown 50	Marsh	Parker
Rupp	Schneider	Sutherland	Vogt	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 320, relating to lapse of school districts, was taken up by Representative Muschany.

On motion of Representative Muschany, **HB 320** was read the third time and passed by the following vote:

AYES: 119

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Brown 30	Bruns
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Harris 23	Harris 110	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 47	Johnson 90
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yates	Zweifel	Mr Speaker	

NOES: 033

Bland	Bowman	Boykins	Bringer	Burnett
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Hughes	Johnson 61	Jolly	LeVota	Liese
Low 39	Lowe 44	Meiners	Oxford	Schoemehl
Villa	Wagner	Walsh	Walton	Whorton
Wright-Jones	Yaeger	Young		

PRESENT: 002

Henke	Meadows
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ABSENT WITH LEAVE: 008

Bean	Brooks	Brown 50	Haywood	Marsh
Rupp	Schneider	Vogt		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 440, relating to university governing boards, was taken up by Representative Pratt.

On motion of Representative Pratt, **HCS HB 440** was read the third time and passed by the following vote:

AYES: 117

Aull	Avery	Baker 25	Baker 123	Behnen
Bivins	Black	Bowman	Boykins	Brown 30
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cunningham 86
Curls	Davis	Deeken	Dempsey	Denison
Dethrow	Dusenberg	El-Amin	Faith	Fisher
Flook	Franz	Fraser	Harris 23	Harris 110
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	LeVota	Liese	Loehner
Low 39	Lowe 44	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pollock	Portwood	Pratt	Quinn	Robb
Robinson	Roorda	Rucker	Sander	Sater
Schaaf	Schad	Schlottach	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wagner	Wallace	Walsh	Walton	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 032

Bearden	Bland	Bringer	Corcoran	Cunningham 145
Darrough	Daus	Dixon	Donnelly	Emery
Ervin	Fares	George	Goodman	Guest
Lembke	Lipke	May	Myers	Pearce
Phillips	Rector	Richard	Roark	Ruestman
Salva	Schoemehl	Villa	Wasson	Wells
Whorton	Wright-Jones			

PRESENT: 001

Henke

ABSENT WITH LEAVE: 012

Bean	Brooks	Brown 50	Day	Dougherty
Haywood	Johnson 61	Johnson 90	Marsh	Rupp
Schneider	Vogt			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 286, relating to the Emancipation Day Commission, was taken up by Representative Bland.

On motion of Representative Bland, **HCS HB 286** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng

Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Brooks	Brown 50	Day	Dougherty
Haywood	Lembke	Marsh	Rupp	Schneider
Vogt				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 417, relating to uninsured motorists, was taken up by Representative Yates.

On motion of Representative Yates, **HB 417** was read the third time and passed by the following vote:

AYES: 106

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Boykins	Brown 30	Bruns	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Franz	Goodman	Guest	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kratky	Kraus
Lager	Lembke	LeVota	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Rucker
Ruestman	Salva	Sander	Sater	Schad
Schlottach	Selby	Self	Shoemyer	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yaeger	Yates	Young
Mr Speaker				

NOES: 046

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Chappelle-Nadal	Corcoran	Curls	Darrough
Donnelly	El-Amin	Flook	Fraser	George
Harris 23	Harris 110	Henke	Hughes	Johnson 61
Johnson 90	Jolly	Kuessner	Lampe	Liese
Lipke	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Parker	Robinson	Roorda
Schaaf	Schoemehl	Silvey	Storch	Swinger
Walsh	Walton	Whorton	Witte	Wright-Jones
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 50	Day	Dougherty
Haywood	Marsh	Rupp	Schneider	Vogt

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 205, relating to child support payments, was taken up by Representative Salva.

On motion of Representative Salva, **HB 205** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch

Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 50	Day	Dougherty
Haywood	Marsh	Rupp	Schneider	Vogt

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS#2 HB 568, relating to protection of children, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **HCS#2 HB 568** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Boykins
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Decken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter

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Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Mr Speaker		

NOES: 001

Franz

PRESENT: 002

El-Amin	Zweifel
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ABSENT WITH LEAVE: 011

Avery	Bean	Brooks	Brown 50	Day
Dougherty	Haywood	Marsh	Rupp	Schneider
Vogt				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 617, relating to watershed districts, was taken up by Representative Kelly.

On motion of Representative Kelly, **HB 617** was read the third time and passed by the following vote:

AYES: 111

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Daus	Davis
Deeken	Dempsey	Dethrow	Dusenberger	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Harris 110
Henke	Hobbs	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 90	Jones
Kelly	Kingery	Kraus	Kuessner	Lager
Lembke	Lipke	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Salva
Sander	Schaaf	Schad	Schlottach	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Stefanick	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Villa	Wagner
Wallace	Wasson	Wells	Wildberger	Wilson 119
Wilson 130	Wright 159	Wright-Jones	Yates	Young
Mr Speaker				

NOES: 038

Aull	Baker 25	Bland	Bowman	Chappelle-Nadal
Corcoran	Curls	Darrough	Denison	Dixon
Donnelly	Fraser	George	Harris 23	Hoskins
Jolly	Kratky	Lampe	LeVota	Liese
Low 39	Lowe 44	Oxford	Rucker	Sater
Schoemehl	Spreng	Stevenson	Viebrock	Walsh
Walton	Weter	Whorton	Witte	Wood
Wright 137	Yaeger	Zweifel		

PRESENT: 002

Boykins Johnson 61

ABSENT WITH LEAVE: 011

Bean	Brooks	Brown 50	Day	Dougherty
Haywood	Marsh	Parson	Rupp	Schneider
Vogt				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 827, relating to disabled employees' medical assistance, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS HB 827** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Iceet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer

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Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 001

Henke

ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 50	Day	Dougherty
Haywood	Marsh	Rupp	Schneider	Vogt

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HBs 49 & 50, relating to alternate sentencing procedures, was taken up by Representative Jolly.

On motion of Representative Jolly, **HCS HBs 49 & 50** was read the third time and passed by the following vote:

AYES: 131

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bringer	Brown 30
Bruns	Burnett	Byrd	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Darrough
Daus	Davis	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Ruestman	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger

Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 020

Bland	Bowman	Boykins	Chinn	Chappelle-Nadal
Cunningham 86	Curls	Denison	El-Amin	Hoskins
Hubbard	Hughes	Hunter	Johnson 61	Low 39
Oxford	Parker	Rucker	Walton	Wright-Jones

PRESENT: 001

Salva

ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 50	Day	Dougherty
Haywood	Marsh	Rupp	Schneider	Vogt

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 691, relating to gambling devices, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that **HCS HB 691** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 036

Avery	Bearden	Bivins	Bowman	Bruns
Byrd	Chinn	Cooper 120	Cooper 158	Deeken
Dempsey	Fisher	Fraser	Hoskins	Hubbard
Hughes	Hunter	Johnson 47	Kelly	Kratky
Lager	LeVota	Lowe 44	Meiners	Nance
Rector	Richard	Salva	Smith 14	Swinger
Villa	Wagner	Walsh	Young	Zweifel
Mr Speaker				

NOES: 114

Aull	Baker 25	Baker 123	Behnen	Black
Bland	Bringer	Brown 30	Burnett	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Flook
Franz	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Icet	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kingery	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Myers	Nieves
Nolte	Oxford	Page	Parker	Parson

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Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	

PRESENT: 002

Boykins	George
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ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 50	Day	Dougherty
Haywood	Marsh	Rupp	Schneider	Vogt

VACANCIES: 001

HCS HB 36, relating to midwives, was taken up by Representative Davis.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Sander
Sater	Schaaf	Schad	Schlottach	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 055

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Corcoran	Curls	Darrrough
Daus	Donnelly	El-Amin	Fraser	George
Harris 23	Harris 110	Henke	Hoskins	Hubbard

Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Wagner	Walsh	Walton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 001

Chappelle-Nadal

ABSENT WITH LEAVE: 013

Bean	Boykins	Brooks	Brown 50	Day
Dougherty	Fares	Haywood	Marsh	Myers
Rupp	Schneider	Vogt		

VACANCIES: 001

On motion of Representative Davis, **HCS HB 36** was read the third time and passed by the following vote:

AYES: 082

Baker 123	Bearden	Black	Bowman	Brown 30
Bruns	Chappelle-Nadal	Cooper 120	Cooper 158	Cunningham 145
Cunningham 86	Davis	Deeken	Dempsey	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Ervin
Faith	Fisher	Flook	Franz	Goodman
Harris 110	Hobbs	Hoskins	Hubbard	Hughes
Ice	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Loehner	Low 39
Lowe 44	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Oxford
Parker	Parson	Phillips	Portwood	Pratt
Quinn	Rector	Richard	Roark	Rucker
Ruestman	Sander	Schad	Self	Silvey
Smith 14	Smith 118	Stevenson	St. Onge	Viebrock
Wallace	Walton	Wells	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 060

Aull	Avery	Baker 25	Behnen	Bivins
Bland	Bringer	Burnett	Byrd	Casey
Chinn	Cooper 155	Curls	Daus	Denison
Donnelly	Fraser	Guest	Harris 23	Hunter
Jackson	Johnson 61	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Lipke	May
Meadows	Page	Pearce	Pollock	Robb
Robinson	Roorda	Salva	Sater	Schaaf
Schlottach	Schoemehl	Selby	Skaggs	Stefanick

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Storch	Sutherland	Swinger	Threlkeld	Tilley
Villa	Wagner	Walsh	Wasson	Weter
Wildberger	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 007

Corcoran	Darrough	George	Henke	Johnson 90
Shoemyer	Spreng			

ABSENT WITH LEAVE: 013

Bean	Boykins	Brooks	Brown 50	Day
Dougherty	Fares	Haywood	Marsh	Myers
Rupp	Schneider	Vogt		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 400 - Fiscal Review (Fiscal Note)

HCS HB 649 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SBs 23 & 51**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 210**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SBs 221, 250 & 256**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Rector reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 22

WHEREAS, the price of natural gas in the United States, already the highest in the industrial world, has again spiked and shows continued volatility; and

WHEREAS, the current price of natural gas is equivalent to paying \$16.00 for a gallon of milk, \$12.70 for a pound of ground beef, or \$9.21 for a gallon of gasoline; and

WHEREAS, abnormally high natural gas prices have been a \$111 billion unanticipated burden on the economy of the United States over the past 18 months; and

WHEREAS, the United States is over reliant on natural gas in our national energy supply, creating a tremendous imbalance between natural gas supply and demand; and

WHEREAS, the manufacturers, farmers, small businesses, local governments, and retailers are struggling from skyrocketing natural gas prices. Further, thousands of jobs in these industries are threatened since many of these businesses use natural gas as a raw material as well as an energy supply; and

WHEREAS, the natural gas imbalance is not a free market problem. The high price of natural gas is created by governmental policies that increase demand for natural gas while impeding the development of a greater supply by discouraging more exploration and production. Since natural gas is domestically produced and very hard to import, the United States cannot correct the imbalance by the importation of natural gas; and

WHEREAS, the Missouri General Assembly supports a sound, rational domestic energy policy:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to enact legislation in the 109th Congress establishing a domestic energy policy that will ensure an adequate supply of natural gas and the appropriate infrastructure. Such energy policy should develop a concerted national effort to promote greater energy efficiency and open promising new areas for environmentally responsible natural gas production; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for George W. Bush, President of the United States, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Utilities, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 33

WHEREAS, environmentally friendly oil and gas exploration and development of the coastal plain of the Arctic National Wildlife Refuge in Alaska and its adjacent land could result in major discoveries that would reduce our nation's future need for imported oil, help balance the nation's trade deficit, and significantly increase the national security; and

WHEREAS, domestic demand for oil continues to rise while domestic crude production continues to fall, which results in the importation of additional foreign fuel sources; and

WHEREAS, the exploration and development of domestic sources of oil and gas will result in lower gasoline prices for consumers in the United States; and

WHEREAS, the 1.5 million-acre coastal plain of the Arctic National Wildlife Refuge makes up only 8% of the 19 million-acre Refuge, and the development of oil and gas reserves in the Refuge's coastal plain would occur in an area of only 2,000 to 7,000 acres, which is less than 0.5% of the area of the coastal plain; and

WHEREAS, 8 million of the 19 million acres of the Refuge have already been set aside as wilderness; and

WHEREAS, the continued health and productivity of the Porcupine Caribou herd and the protection of land, water, and wildlife resources will be ensured during exploration and development of the coastal plain of the Arctic National Wildlife Refuge in Alaska:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby urges the United States Congress to pass legislation to open the coastal plain of the Arctic National Wildlife Refuge in Alaska to oil and gas exploration, development, and production; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly support the safeguards to ensure that the exploration, development and production of oil and gas reserves in Alaska be conducted in a manner that protects the environment and the wildlife populations; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Utilities, to which was referred **SS SCS SB 462**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 784**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 880**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 10 & 27**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 42**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 170**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 189**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 1 hour for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 252**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 286**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 254**, entitled:

An act to amend chapter 577, RSMo, by adding thereto two new sections relating to prescription medication at school, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 500**, entitled:

An act to repeal section 162.700, RSMo, and to enact in lieu thereof nine new sections relating to family cost participation in the Missouri first steps program, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

April 20, 2005

Mr. Steve Davis, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Davis:

The Committee on Budget has adopted the attached motion under Section 33.282, RSMo, and request that it be printed in the Journal of the House.

Sincerely,

/s/ Brad Lager, Chairman
House Budget Committee

Attachment

MOTION OF APPROVAL PURSUANT TO SECTION 33.282, RSMO.

Having reviewed the estimates of new tax credits for Fiscal Year 2006 submitted to the Chairman of the House Budget Committee by the Budget Director to Section 33.282, RSMo, the Committee on Budget, under the authority of Section 33.282, RSMo, hereby approves those estimated new tax credits for any tax year beginning after July 1, 2005 and before June 30, 2006, and directs the chairman of the committee to report adoption of this motion to the Chief Clerk of the House and request that the motion be printed in the Journal of the House.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, April 21, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-seventh Day, Monday, April 18, 2005, Page 1085, Line 31, by deleting all of said line and inserting in lieu thereof the following:

Kansas City, MO 64119

AFFIDAVIT

I, State Representative Jim Avery, District 95, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute No. 2 for House Bill No. 568 in the House Journal for Wednesday, April 20, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 20th day of April 2005.

/s/ Jim Avery
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 20th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

FISCAL REVIEW

Monday, April 25, 2005, Hearing Room 6 upon afternoon adjournment.

Executive session.

Public hearings to be held on: HCS HB 400, HCS HB 649

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 7.

Second quarter meeting.

SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 2, 2005, upon afternoon adjournment Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 911

HOUSE CALENDAR

SIXTIETH DAY, THURSDAY, APRIL 21, 2005

HOUSE BILLS FOR SECOND READING

HB 18 and HB 19

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 474 - Yates
- 2 HCS HB 628 - Byrd
- 3 HCS HB 255 - Cunningham (86)
- 4 HCS HB 387 - Byrd
- 5 HB 572 - Stevenson
- 6 HCS HB 560 - Wright (137)
- 7 HCS HB 853 - Loehner
- 8 HB 291, as amended - Cooper (155)
- 9 HCS HB 272 - Pratt
- 10 HCS HB 697 - Lembke
- 11 HB 721 - Flook
- 12 HCS HB 671 - Sutherland
- 13 HCS HB 804 - Smith (118)
- 14 HB 679 - Kraus
- 15 HCS HB 91 - Johnson (47)
- 16 HCS HB 192 - Sander
- 17 HCS HB 665 - Behnen (2 hours debate on Perfection)
- 18 HCS HB 742 - Bearden
- 19 HCS HB 854 - Richard
- 20 HCS HB 924 - Wallace
- 21 HCS HB 972 - Jetton

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 576, (Fiscal Review 4-19-05) - Flook
- 3 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 4 HCS HB 353, (Fiscal Review 4-19-05) - Lipke
- 5 HCS HB 400, (Fiscal Review 4-20-05) - Yates
- 6 HCS HB 649, (Fiscal Review 4-20-05) - Fares
- 7 HCS HB 863 - Wasson
- 8 HCS HB 866 - Wilson (130)
- 9 HCS HB 498 - Kratky
- 10 HCS HB 640 - Pearce
- 11 HB 116, E.C. - Deeken
- 12 HB 832 - Brooks
- 13 HB 196 - Wildberger
- 14 HCS HB 824 - Hobbs

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILLS FOR SECOND READING

- 1 SB 254 - Engler
- 2 SCS SB 500 - Gibbons

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE JOINT RESOLUTION FOR THIRD READING

SS SJR 1 - Chinn

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/05)

- 1 HCS SCS SB 24 - Schlottach
- 2 SCS SB 68 - Yates
- 3 SB 71 - Nieves
- 4 HCS SCS SB 100 - Dixon
- 5 HCS SCS SBs 103 & 115 - Yates
- 6 SB 131 - Yates
- 7 SCS SB 133 - Yates
- 8 SB 149 - Stevenson
- 9 SB 156 - Richard

- 10 SB 178 - Schaaf
- 11 SB 211 - Cooper (120)
- 12 SCS SB 222 - Sutherland
- 13 HCS SCS SB 246 - Villa
- 14 SB 259 - Baker (123)
- 15 SB 261 - Yates
- 16 SCS SB 266 - Fares
- 17 SCS SB 267 - Jackson
- 18 SB 279 - Wasson
- 19 SCS SB 289 - Tilley
- 20 SB 298 - Wright-Jones
- 21 SB 299 - Wright-Jones
- 22 SCS SB 302 - Cunningham (86)
- 23 SB 306 - Dethrow
- 24 HCS SB 307 - Kuessner
- 25 SB 318 - Cooper (120)
- 26 SB 347 - Cooper (155)
- 27 SB 394 - Pearce
- 28 SCS SB 407 - Lipke
- 29 SB 453 - St. Onge
- 30 SB 480 - Kraus
- 31 HCS SB 490 - Pearce
- 32 SCS SB 501 - Stefanick
- 33 SB 507 - Baker (25)
- 34 SB 516 - Richard
- 35 SB 518 - Cooper (155)

(4/18/05)

- 1 SCS SB 6 - Lager
- 2 HCS SB 38 - Ruestman
- 3 SB 122 - Wright (137)
- 4 SB 162 - Cooper (155)
- 5 HCS SB 174, E.C. - Bruns
- 6 HCS SB 177 - Behnen
- 7 HCS SCS SB 182 - Rector
- 8 SB 209 - Pearce
- 9 HCS SB 216 - Goodman
- 10 SCS SB 227 - Kuessner
- 11 HCS SCS SB 238 - Faith
- 12 SCS SB 247 - Bruns
- 13 SB 265 - Wood
- 14 SB 288 - Lager
- 15 SB 304 - Ervin
- 16 HCS SB 308 - Pollock
- 17 SB 317 - Smith (118)
- 18 SCS SB 354 - Schlottach

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- 19 SB 357 - Johnson (47)
- 20 HCS SB 364, E.C. - Franz
- 21 HCS SCS SB 372 - Kuessner
- 22 SCS SB 374 - Zweifel
- 23 SB 396 - Cooper (158)
- 24 HCS SB 401 - Lembke
- 25 SB 418 - Lipke
- 26 HCS SB 422 - Yates
- 27 HCS SCS SB 423 - Lipke
- 28 HCS SCS SB 450, E.C. - Portwood
- 29 SCS SB 496 - Kelly
- 30 SCS SB 502, E.C. - Portwood
- 31 SB 521, HCA 1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 270, E.C. - Richard
- 2 HCS SB 21 - Stevenson
- 3 HCS SCS SB 70 - Richard
- 4 SCS SB 73 - Weter
- 5 HCS SCS#2 SB 155 - Kingery
- 6 SCS SB 258 - Baker (123)
- 7 SB 367 - Deeken
- 8 SB 378 - Boykins
- 9 SCS SB 390 - Pratt
- 10 SB 488, HCA 1 - Robinson

HOUSE CONCURRENT RESOLUTION

HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTIETH DAY, THURSDAY, APRIL 21, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

On a day after rainfall and of anticipating more, let us pray, using these words from the Hebrew Scriptures:

Thus says the Lord:
For just as from the heavens
The rain and snow come down
And do not return there
Till they have watered the Earth,
Making it fertile and fruitful,
Giving seed to him who sows
And bread to him who eats.

So shall My word be
That goes forth from My mouth;
It shall not return to Me void,
But shall do My will,
Achieving the end for which I sent it.
(Isaiah 55:10-11)

Almighty God, Your word of justice and of care for those in great need has come down into our minds. May this word so stir our hearts that through our words and actions it may achieve the end for which You sent it.

We pray to You our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Charlie Rowland, Mackenzie Oswald, Amber Doty, Jessica Moore, Abigail Hill, Raven Eisenberger, Doug Soule and Austin Dorrell.

The Journal of the fifty-ninth day was approved as corrected by the following vote:

AYES: 106

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bowman	Boykins	Brown 30	Bruns
Byrd	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken

Dempsey	Denison	Dethrow	Dixon	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Hobbs	Hubbard	Hunter	Icet
Jackson	Johnson 47	Jones	Kingery	Kratky
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Meiners	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Shoemyer	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 046

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hughes
Johnson 61	Johnson 90	Jolly	Kuessner	Lampe
LeVota	Liese	Lowe 44	Oxford	Page
Robinson	Roorda	Rucker	Schoemehl	Selby
Skaggs	Spreng	Storch	Swinger	Wagner
Walsh	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Brooks	Brown 50	Kelly	Low 39
Marsh	Meadows	Moore	Rupp	Vogt

VACANCIES: 001

SPECIAL RECOGNITION

Reverend Joseph Clark of Kansas City was introduced by Representative Hughes and recognized as an Outstanding Missourian.

MOTION

Representative Dempsey moved that the House stand at ease for the distribution of green sheets. Just prior to the green sheets being distributed, the fire alarm sounded and the House was ordered to evacuate the building. When the House returned following the evacuation and the distribution of green sheets was sufficiently completed, the House was called to order by Speaker Pro Tem Bearden, simply to find the House did not have a quorum.

Representative Dempsey suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 001

Johnson 61

PRESENT: 010

Corcoran	Dougherty	George	Henke	Page
Roorda	Skaggs	Smith 118	Threlkeld	Wildberger

ABSENT WITH LEAVE: 006

Bean	Boykins	Brown 50	Hubbard	Marsh
Vogt				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2383 - Representative Hunter
House Resolution No. 2384 - Representative Parson

House Resolution No. 2385	-	Representative LeVota
House Resolution No. 2386	-	Representative Wright (137)
House Resolution No. 2387	-	Representative Baker (123)
House Resolution No. 2388	-	Representative Behnen
House Resolution No. 2389	-	Representative Jetton
House Resolution No. 2390	-	Representative Cooper (158)
House Resolution No. 2391	-	Representative Witte
House Resolution No. 2392	-	Representative Darrough
House Resolution No. 2393	-	Representative McGhee
House Resolution No. 2394	-	Representative Stevenson
House Resolution No. 2395		through
House Resolution No. 2399	-	Representative Skaggs
House Resolution No. 2400	-	Representative Chappelle-Nadal, et al.
House Resolution No. 2401		and
House Resolution No. 2402	-	Representative Henke
House Resolution No. 2403	-	Representative Vogt
House Resolution No. 2404	-	Representative Sutherland
House Resolution No. 2405		through
House Resolution No. 2419	-	Representative Kraus
House Resolution No. 2420		through
House Resolution No. 2433	-	Representative Hobbs
House Resolution No. 2434		and
House Resolution No. 2435	-	Representative Whorton
House Resolution No. 2436	-	Representative Pearce
House Resolution No. 2437		through
House Resolution No. 2445	-	Representative Oxford
House Resolution No. 2446	-	Representative Stefanick
House Resolution No. 2447	-	Representative Flook

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 18 and **HB 19** were read the second time.

SECOND READING OF SENATE BILLS

SB 254 and **SCS SB 500** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 353** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 576** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 576, relating to small business, was taken up by Representative Flook.

On motion of Representative Flook, **HCS HB 576** was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean Brown 50 Marsh Viebrock

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 353, relating to crime, was taken up by Representative Lipke.

On motion of Representative Lipke, **HCS HB 353** was read the third time and passed by the following vote:

AYES: 128

Aull	Avery	Baker 123	Bearden	Behnen
Black	Bringer	Brown 30	Bruns	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Ruestman	Rupp	Salva
Sander	Sater	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Wagner	Wallace	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 028

Baker 25	Bland	Bowman	Boykins	Brooks
Burnett	Chappelle-Nadal	Curls	Dougherty	El-Amin
George	Haywood	Hoskins	Hubbard	Hughes
Johnson 61	Low 39	Lowe 44	Oxford	Rucker
Spreng	Villa	Vogt	Walsh	Walton
Whorton	Wright-Jones	Yaeger		

PRESENT: 001

Fares

ABSENT WITH LEAVE: 005

Bean Bivins Brown 50 Marsh Schaaf

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 863, relating to tax incentives for economic development, was taken up by Representative Wasson.

On motion of Representative Wasson, **HCS HB 863** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bivins	Brown 50	Marsh	Schaaf
Viebrock				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 866, relating to insurance fraud, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HCS HB 866** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Black	Bland	Bowman	Boykins
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 002

Brooks	Johnson 61
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ABSENT WITH LEAVE: 006

Bean	Bivins	Brown 50	Marsh	Schaaf
Viebrock				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 498, relating to auto theft, was taken up by Representative Kratky.

On motion of Representative Kratky, **HCS HB 498** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Black	Bland	Bowman	Boykins
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Salva	Sander	Sater	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 003

Brooks	El-Amin	Johnson 61
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ABSENT WITH LEAVE: 008

Bean	Bivins	Brown 50	Marsh	Pratt
Rupp	Schaaf	Viebrock		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 640, relating to unsolicited commercial e-mail, was taken up by Representative Pearce.

On motion of Representative Pearce, **HCS HB 640** was read the third time and passed by the following vote:

AYES: 153

Aull	Baker 25	Baker 123	Bearden	Behnen
Black	Bland	Bowman	Boykins	Bringer
Brooks	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 001

Avery

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Bivins	Brown 50	Lembke	Marsh
Pratt	Schaaf	Viebrock		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 116, relating to the rights of persons with service dogs, was taken up by Representative Deeken.

On motion of Representative Deeken, **HB 116** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Quinn	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 005

Emery	Hunter	Rector	Roark	Stevenson
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PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Bivins	Brown 50	Liese	Marsh
Pratt	Schaaf			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 110

Aull	Avery	Baker 25	Baker 123	Bearden
Black	Bland	Boykins	Bringer	Bruns
Byrd	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Deeken	Dempsey	Denison
Dixon	Donnelly	Dougherty	El-Amin	Fisher
Flook	Fraser	Goodman	Harris 23	Harris 110
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Lager	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Page	Parker
Pearce	Pollock	Portwood	Quinn	Richard
Robb	Robinson	Rucker	Ruestman	Rupp
Sander	Sater	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Skaggs	Smith 14	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 130	Witte	Wright 137
Wright 159	Wright-Jones	Young	Zweifel	Mr Speaker

NOES: 037

Behnen	Brown 30	Curls	Day	Dethrow
Dusenberg	Emery	Ervin	Faith	Fares
Franz	Guest	Henke	Ice	Jackson
Kraus	Kuessner	LeVota	May	Nolte
Oxford	Parson	Phillips	Rector	Roark
Salva	Schad	Selby	Silvey	Smith 118
Spreng	Vogt	Walsh	Wilson 119	Wood
Yaeger	Yates			

PRESENT: 009

Bowman	Brooks	Burnett	Casey	George
Haywood	Lowe 44	Meadows	Roorda	

ABSENT WITH LEAVE: 006

Bean	Bivins	Brown 50	Marsh	Pratt
Schaaf				

VACANCIES: 001

HB 832, relating to restrictive covenants, was taken up by Representative Sanders Brooks.

On motion of Representative Sanders Brooks, **HB 832** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Rupp	Salva	Sander
Sater	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Bivins	Brown 50	Marsh	Pratt
Ruestman	Schaaf			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 196, relating to arson, was taken up by Representative Wildberger.

On motion of Representative Wildberger, **HB 196** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bivins	Brown 50	Marsh	Pratt
Schaaf				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 824, relating to environmental regulations, was taken up by Representative Hobbs.

On motion of Representative Hobbs, **HCS HB 824** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bivins	Brown 50	Marsh	Pratt
Schaaf				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 18 - Budget

HB 19 - Budget

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCS SCR 6 - Special Committee on General Laws

SCS SCR 8 - Special Committee on General Laws

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 254 - Crime Prevention and Public Safety

SCS SB 500 - Special Committee on General Laws

COMMITTEE REPORTS

Committee on Conservation and Natural Resources, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 549**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SS#2 SCS SB 225**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Corrections and Public Institutions, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 875**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 430**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 593**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SB 99**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government , Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 168**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 262**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 361**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 431**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Senior Citizen Advocacy, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Senior Citizen Advocacy, to which was referred **HB 859**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Ervin reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **SB 141**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Small Business, to which was referred **SB 173**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Urban Issues, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 28

WHEREAS, the Housing Authority of Kansas City (HAKC) was created on July 14, 1941, by city ordinance and mayorial appointment of a five-member Board of Commissioners in accordance with Missouri enabling legislation; and

WHEREAS, a public housing agency is a governmental or public body that is authorized by the State to engage in or assist in the development or operation of housing for low-income families. Public housing programs are managed by a variety of organizations: housing agencies, local government departments, nonprofit organizations, and private property managers, with the public housing agency acting as the landlord; and

WHEREAS, the mission of the Housing Authority of Kansas City is to develop, rehabilitate, and manage decent, safe, and sanitary quality affordable housing in a manner that promotes equal opportunity, fair housing, and the deconcentration of race and poverty; and

WHEREAS, in the beginning, HAKC provided housing for returning veterans in the 1940s, with the program later expanded to include low-rent units for families, and by 1965 the HAKC rental inventory totaled some 2200 units; and

WHEREAS, as federal policies shifted, HAKC also reoriented its activities. In 1967 and 1968, 200 units were leased from private owners for sublease to HAKC tenants under a rent-supplement program. From 1968 to 1970, 50 foreclosed single-family homes were purchased from the Federal Housing Administration and the Veterans Administration by the HAKC for lease to public housing tenants; and

WHEREAS, in the 1970s proposals from developers for turnkey housing were requested, and the rehabilitation and modernization of existing structures became a priority for HAKC. For the next decade, a succession of executive directors oversaw the Authority. Tenants became dissatisfied with the condition of what were formerly well-maintained units and sued in 1993 in federal court to hasten the rehabilitation of one of the older developments; and

WHEREAS, in 1994, the Housing Authority of Kansas City faced daunting and formidable challenges so serious that the agency was placed in federal court receivership, with the agency's housing stock largely distressed and obsolete as evidenced by a 43% vacancy rate, enormous backlogs of uncompleted maintenance work, rampant criminal activity, and hundreds of families living in dangerous, substandard conditions; and

WHEREAS, the United States Department of Housing and Urban Development (HUD) declared the HAKC a "troubled agency", based on its score of less than 44% under the national Public Housing Management Assessment Program; and

WHEREAS, today, HAKC operations and the majority of its properties have undergone a dramatic and near complete makeover. HAKC's vacancy rate now averages approximately 2%, maintenance requests are addressed promptly, and crime rates within public housing are down by 44%. In 1998, HUD designated HAKC as a "high performer" agency; and

WHEREAS, since 1994, HAKC has focused intensive efforts to rebuild distressed communities and to expand the supply of quality affordable housing in Kansas City, Missouri. Several public housing developments, such as Guinotte Manor, Riverview Gardens, and Theron B. Watkins, have been transformed into vibrant new mixed-income communities that serve as the centerpieces of their respective urban neighborhoods, and the beautiful townhouses and streetscapes of Villa del Sol occupy a site that a few years ago consisted of bombed out buildings and empty streets; and

WHEREAS, in addition, HAKC has helped address the critical housing affordability issues faced by community residents through implementation of over 3,000 new Section 8 vouchers, which allow participants to lease housing units from private landlords allowing participants to have a greater choice in where they live; and

WHEREAS, by 2003, HAKC had received numerous awards from national, regional, and local organizations which symbolize HAKC's continued success in constructing safe, quality housing for low-income residents, pioneering the rehabilitation and revitalization of Kansas City's urban core housing, and communicating those achievements to its clients and the public. The awards received by HAKC include:

(1) The United States Department of Housing and Urban Development's "New Face of America's Public Housing Award" which recognizes housing authorities, developers, and urban designers for their efforts to replace outmoded housing projects with attractive, walkable, mixed-income neighborhoods;

(2) The National Association of Housing and Redevelopment Officials presented awards for several of HAKC's print publications;

(3) The Historic Kansas City Foundation Award was received for two HAKC public housing "scattered site" homes (quality single-family town homes, duplexes, and houses scattered throughout the city) constructed in the historic Coleman Highlands neighborhood, where HAKC took painstaking efforts to ensure the homes were a complement to the neighborhood; and

WHEREAS, after years of federal oversight, the Housing Authority of Kansas City has taken steps toward resumption of local control. By 2003, a panel formed by the court-appointed receiver had been working on how to make sure the agency doesn't become dysfunctional again and in September 2002, the HAKC had a Board of Commissioners appointed which will set policy for the Authority when court supervision comes to an end; and

WHEREAS, while federal receivership was believed to be in its final stages by late 2003, today the Housing Authority of Kansas City is still under federal receivership and has not fully transitioned to local control; and

WHEREAS, the federal receivership of the HAKC has been overseen by Judge Dean Whipple and Jeffrey K. Lines was the court-appointed receiver for eight years and now serves as the HAKC special master with oversight responsibilities of the Board of Commissioners and the HAKC. According to Mr. Lines, "we have witnessed a dramatic turnaround of the agency...During Receivership, the Housing Authority of Kansas City improved its national standing from a "troubled agency" to a "high performer" status in most key areas of performance measurement", and in July 2003, Mr. Lines stated that the HAKC was "in the final stages of Receivership", however, almost two years later the HAKC remains in federal receivership; and

WHEREAS, while HAKC has experienced a complete turnaround in federal receivership, it is vital that the Authority be under local control and allowed to set its own policies to address current needs and problems as they arise, as evidence by recent events in the Kansas City area regarding funding for the refurbishing of houses in the Historic Jazz District in which HAKC has a limited ability to respond due to the restrictions of its federal receivership; and

WHEREAS, as a result of the significant and remarkable efforts of the Housing Authority of Kansas City during receivership, the Authority has earned the right to be returned to full local control and to set policies for the continued provision of quality, affordable housing to low-income families in the Kansas City community:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby urge Judge Dean Whipple to immediately end the federal receivership of the Housing Authority of Kansas City initiated in 1994 and allow the Board of Commissioners appointed to set policies for the Authority, thereby returning the HAKC to full local control; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Judge Dean Whipple and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **SS SB 95**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

House Committee Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 95, Page 3, Section 701.304, Lines 32-33, by striking the words "levy fines" and inserting in lieu thereof the following:

"impose administrative penalties"; and

Further amend said bill, Page 7, Section 701.309, Line 33, by striking the word "inspection" and inserting in lieu thereof the word **"results"**; and

Further amend said bill, Page 14, Section 701.337, Line 16, by striking the words "pursuant to" and inserting in lieu thereof the word **"thereto"**.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **SS SCS SB 269**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **SB 380**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 633**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 789**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 835**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 952**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 138**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 180**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 210**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 237**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 260**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 268**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 274**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 310**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 346**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 2**, entitled:

An act to repeal sections 188.010, 188.015, 188.025, 188.052, 188.055, 188.070, 188.075, 188.080, and 197.200, RSMo, and to enact in lieu thereof eighteen new sections relating to abortion and alternatives to abortion services, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 144**, entitled:

An act to repeal sections 478.570 and 478.600, RSMo, and to enact in lieu thereof two new sections relating to judicial circuits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 194**, entitled:

An act to repeal section 595.209, RSMo, and to enact in lieu thereof one new section relating to rights of crime victims.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 196**, entitled:

An act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to material recovery operations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 220**, entitled:

An act to repeal sections 105.711, 105.726, 537.600, and 537.610, RSMo, and to enact in lieu thereof five new sections relating to civil liability of state agencies, public entities, and the employees thereof, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 348**, entitled:

An act to repeal section 324.484, RSMo, and to enact in lieu thereof one new section relating to exemption of dentists from acupuncture licensing requirements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 481**, entitled:

An act to repeal sections 162.675, 162.725, 162.735, and 162.740, RSMo, and to enact in lieu thereof three new sections relating to special education services.

In which the concurrence of the House is respectfully requested.

SENATE CONSENT BILLS

Pursuant to Rule 44, the following bills have remained on the Senate Bills for Third Reading Consent Calendar for five legislative days without any objection, and any committee substitutes and committee amendments are hereby adopted by consent: **HCS SCS SB 24, SCS SB 68, SB 71, HCS SCS SB 100, HCS SCS SBs 103 & 115, SB 131, SCS SB 133, SB 149, SB 156, SB 178, SB 211, SCS SB 222, HCS SCS SB 246, SB 259, SB 261, SCS SB 266, SCS SB 267, SB 279, SCS SB 289, SB 298, SB 299, SCS SB 302, SB 306, HCS SB 307, SB 318, SB 347, SB 394, SCS SB 407, SB 453, SB 480, HCS SB 490, SCS SB 501, SB 507, SB 516 and SB 518.**

The following member's presence was noted: Marsh.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Friday, April 22, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-ninth Day, Wednesday, April 20, 2005, Page 1146, Line 7, by deleting the numeral "2004" and inserting in lieu thereof the numeral "2005".

Page 1159, Line 16, by inserting immediately after said line the following:

ADJOURNMENT

Representative Dempsey moved that the House stand adjourned until 10:00 a.m., Thursday, April 21, 2005.

Which motion was defeated.

Page 1173, Line 5, by inserting immediately after said line the following:

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 18, introduced by Representative Lager, to appropriate money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems, and to transfer money among certain funds.

HB 19, introduced by Representative Lager, to appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions.

COMMITTEE MEETINGS

BUDGET

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 18, HB 19

CHILDREN AND FAMILIES

Tuesday, April 26, 2005, 9:30 a.m. House Chamber side gallery.

Executive session will be held on: HB 970

CRIME PREVENTION AND PUBLIC SAFETY

Monday, April 25, 2005, House Chamber side gallery upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: SB 254

FINANCIAL INSTITUTIONS

Tuesday, April 26, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. Meeting to convene at 12:30 p.m.

Public hearings to be held on: HB 965, SB 476

FISCAL REVIEW

Monday, April 25, 2005, Hearing Room 6 upon afternoon adjournment.

Executive session.

Public hearings to be held on: HCS HB 400, HCS HB 649

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Monday, April 25, 2005, 1:30 p.m. Hearing Room 6.

Challenge Fiscal Note: HB 572

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 7.

Second quarter meeting.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 5.

Executive session.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 26, 2005, 12:00 p.m. Hearing Room 5.

Executive session.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 26, 2005, 7:00 p.m. Hearing Room 6.

Executive session.

Public hearing to be held on: SS SCS SB 287

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 27, 2005, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearing to be held on: SCS SB 500

SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 2, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 911, SCS SCR 6, SCS SCR 8

HOUSE CALENDAR

SIXTY-FIRST DAY, FRIDAY, APRIL 22, 2005

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 474 - Yates
- 2 HCS HB 628 - Byrd
- 3 HCS HB 255 - Cunningham (86)
- 4 HCS HB 387 - Byrd
- 5 HB 572 - Stevenson
- 6 HCS HB 560 - Wright (137)
- 7 HCS HB 853 - Loehner
- 8 HB 291, as amended - Cooper (155)
- 9 HCS HB 272 - Pratt
- 10 HCS HB 697 - Lembke
- 11 HB 721 - Flook
- 12 HCS HB 671 - Sutherland
- 13 HCS HB 804 - Smith (118)
- 14 HB 679 - Kraus
- 15 HCS HB 91 - Johnson (47)
- 16 HCS HB 192 - Sander
- 17 HCS HB 665 - Behnen (2 hours debate on Perfection)
- 18 HCS HB 742 - Bearden
- 19 HCS HB 854 - Richard
- 20 HCS HB 924 - Wallace
- 21 HCS HB 972 - Jetton
- 22 HB 952 - Icet
- 23 HCS HB 231 - Portwood
- 24 HCS#2 HB 586 - Sander
- 25 HCS HB 591, 210, 377, 760 & 777 - Schlottach
- 26 HB 784 - Meadows
- 27 HB 880 - Hughes

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 3 HCS HB 400, (Fiscal Review 4-20-05) - Yates
- 4 HCS HB 649, (Fiscal Review 4-20-05) - Fares

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 2
- 2 SS SCS SB 144
- 3 SB 194
- 4 SCS SB 196
- 5 SS SB 220
- 6 SS SB 348
- 7 SCS SB 481

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE JOINT RESOLUTION FOR THIRD READING

SS SJR 1 - Chinn

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 24 - Schlottach
- 2 SCS SB 68 - Yates
- 3 SB 71 - Nieves
- 4 HCS SCS SB 100 - Dixon
- 5 HCS SCS SB 103 & 115 - Yates
- 6 SB 131 - Yates
- 7 SCS SB 133 - Yates
- 8 SB 149 - Stevenson
- 9 SB 156 - Richard
- 10 SB 178 - Schaaf
- 11 SB 211 - Cooper (120)
- 12 SCS SB 222 - Sutherland
- 13 HCS SCS SB 246 - Villa
- 14 SB 259 - Baker (123)
- 15 SB 261 - Yates
- 16 SCS SB 266 - Fares
- 17 SCS SB 267 - Jackson
- 18 SB 279 - Wasson

- 19 SCS SB 289 - Tilley
- 20 SB 298 - Wright-Jones
- 21 SB 299 - Wright-Jones
- 22 SCS SB 302 - Cunningham (86)
- 23 SB 306 - Dethrow
- 24 HCS SB 307 - Kuessner
- 25 SB 318 - Cooper (120)
- 26 SB 347 - Cooper (155)
- 27 SB 394 - Pearce
- 28 SCS SB 407 - Lipke
- 29 SB 453 - St. Onge
- 30 SB 480 - Kraus
- 31 HCS SB 490 - Pearce
- 32 SCS SB 501 - Stefanick
- 33 SB 507 - Baker (25)
- 34 SB 516 - Richard
- 35 SB 518 - Cooper (155)

(4/18/05)

- 1 SCS SB 6 - Lager
- 2 HCS SB 38 - Ruestman
- 3 SB 122 - Wright (137)
- 4 SB 162 - Cooper (155)
- 5 HCS SB 174, E.C. - Bruns
- 6 HCS SB 177 - Behnen
- 7 HCS SCS SB 182 - Rector
- 8 SB 209 - Pearce
- 9 HCS SB 216 - Goodman
- 10 SCS SB 227 - Kuessner
- 11 HCS SCS SB 238 - Faith
- 12 SCS SB 247 - Bruns
- 13 SB 265 - Wood
- 14 SB 288 - Lager
- 15 SB 304 - Ervin
- 16 HCS SB 308 - Pollock
- 17 SB 317 - Smith (118)
- 18 SCS SB 354 - Schlottach
- 19 SB 357 - Johnson (47)
- 20 HCS SB 364, E.C. - Franz
- 21 HCS SCS SB 372 - Kuessner
- 22 SCS SB 374 - Zweifel
- 23 SB 396 - Sutherland
- 24 HCS SB 401 - Lembke
- 25 SB 418 - Lipke
- 26 HCS SB 422 - Yates
- 27 HCS SCS SB 423 - Lipke
- 28 HCS SCS SB 450, E.C. - Portwood
- 29 SCS SB 496 - Kelly

- 30 SCS SB 502, E.C. - Portwood
- 31 SB 521, HCA 1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 270, E.C. - Richard
- 2 HCS SB 21 - Stevenson
- 3 HCS SCS SB 70 - Richard
- 4 SCS SB 73 - Weter
- 5 HCS SCS#2 SB 155 - Kingery
- 6 SCS SB 258 - Baker (123)
- 7 SB 367 - Deeken
- 8 SB 378 - Boykins
- 9 SCS SB 390 - Pratt
- 10 SB 488, HCA 1 - Robinson
- 11 HCS SCS SB 10 & 27, E.C. - Lipke
- 12 SCS SB 170, E.C. - Byrd
- 13 SS SCS SB 179 - Rector
- 14 HCS SB 189, E.C. - Icet
- 15 HCS SCS SB 252, E.C. - Pearce
- 16 SB 280 - Wasson
- 17 SB 286 - Kingery
- 18 SB 323 - Cooper (155)
- 19 SB 479 - May
- 20 SB 526 - Cunningham (145)

(1 hour debate on Third Reading)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 23, (4-13-05, Pages 1033-1034) - Sutherland

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-FIRST DAY, FRIDAY, APRIL 22, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Preston Feeler, Legislative Director, Office of the Speaker.

Father God, today we need Your guidance.
Teach us to love one another the way You love us.
Teach us to be content with what You have given us.
Teach us to use our time wisely.
Teach us to hear Your voice and to feel Your presence.
And teach us to walk with You each day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Tammy Tackett.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2448 - Representative Munzlinger
House Resolution No. 2449 - Representative Bearden

SECOND READING OF SENATE BILLS

SS SCS SB 2, SS SCS SB 144, SB 194, SCS SB 196, SS SB 220, SS SB 348 and SCS SB 481 were read the second time.

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Myers reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SB 187**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCS SB 355**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 123**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 165**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

SENATE CONSENT BILLS

Pursuant to Rule 44, the following bills have remained on the Senate Bills for Third Reading Consent Calendar for five legislative days without any objection, and any committee substitutes and committee amendments are hereby adopted by consent: **SCS SB 6, HCS SB 38, SB 122, SB 162, HCS SB 174, HCS SB 177, HCS SCS SB 182, SB 209, HCS SB 216, SCS SB 227, HCS SCS SB 238, SCS SB 247, SB 265, SB 288, SB 304, HCS SB 308, SB 317, SCS SB 354, SB 357, HCS SB 364, HCS SCS SB 372, SCS SB 374, SB 396, HCS SB 401, SB 418, HCS SB 422, HCS SCS SB 423, HCS SCS SB 450, SCS SB 496, SCS SB 502 and SB 521 with HCA 1.**

The following members' presence was noted: Corcoran, Nolte, Schad, Schoemehl, Smith (14) and Viebrock.

ADJOURNMENT

On motion of Speaker Pro Tem Bearden, the House adjourned until 2:00 p.m., Monday, April 25, 2005.

COMMITTEE MEETINGS

BUDGET

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 18, HB 19

CHILDREN AND FAMILIES

Tuesday, April 26, 2005, 9:30 a.m. House Chamber side gallery.

Executive session will be held on: HB 970

CRIME PREVENTION AND PUBLIC SAFETY

Monday, April 25, 2005, House Chamber side gallery upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: SB 254

FINANCIAL INSTITUTIONS

Tuesday, April 26, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. Meeting to convene at 12:30 p.m.

Public hearings to be held on: HB 965, SB 476

FISCAL REVIEW

Monday, April 25, 2005, Hearing Room 6 upon afternoon adjournment.

Executive session.

Public hearings to be held on: HCS HB 400, HCS HB 649

JOB CREATION AND ECONOMIC DEVELOPMENT

Monday, April 25, 2005, Hearing Room 5 upon evening adjournment.

Executive session only.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Monday, April 25, 2005, 1:30 p.m. Hearing Room 6.

Challenge Fiscal Note: HB 572

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 7.

Second quarter meeting.

JUDICIARY

Tuesday, April 26, 2005, Hearing Room 7 upon morning recess.

Executive Session.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 5.

Executive session.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 26, 2005, 12:00 p.m. Hearing Room 5.

Executive session.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 26, 2005, 7:00 p.m. Hearing Room 6.

Executive session.

Public hearing to be held on: SS SCS SB 287

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 27, 2005, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearing to be held on: SCS SB 500

SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 2, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 911, SCS SCR 6, SCS SCR 8

HOUSE CALENDAR

SIXTY-SECOND DAY, MONDAY, APRIL 25, 2005

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 474 - Yates
- 2 HCS HB 628 - Byrd
- 3 HCS HB 255 - Cunningham (86)
- 4 HCS HB 387 - Byrd
- 5 HB 572 - Stevenson
- 6 HCS HB 560 - Wright (137)
- 7 HCS HB 853 - Loehner
- 8 HB 291, as amended - Cooper (155)
- 9 HCS HB 272 - Pratt
- 10 HCS HB 697 - Lembke
- 11 HB 721 - Flook
- 12 HCS HB 671 - Sutherland
- 13 HCS HB 804 - Smith (118)
- 14 HB 679 - Kraus
- 15 HCS HB 91 - Johnson (47)
- 16 HCS HB 192 - Sander
- 17 HCS HB 665 - Roark (2 hours debate on Perfection)
- 18 HCS HB 742 - Bearden
- 19 HCS HB 854 - Richard
- 20 HCS HB 924 - Wallace
- 21 HCS HB 972 - Jetton
- 22 HB 952 - Icet
- 23 HCS HB 231 - Portwood
- 24 HCS#2 HB 586 - Sander
- 25 HCS HB 591, 210, 377, 760 & 777 - Schlottach
- 26 HB 784 - Meadows
- 27 HB 880 - Hughes

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 3 HCS HB 400, (Fiscal Review 4-20-05) - Yates
- 4 HCS HB 649, (Fiscal Review 4-20-05) - Fares

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE JOINT RESOLUTION FOR THIRD READING

SS SJR 1 - Chinn

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SB 24 - Schlottach
- 2 SCS SB 68 - Yates
- 3 SB 71 - Nieves
- 4 HCS SCS SB 100 - Dixon
- 5 HCS SCS SBs 103 & 115 - Yates
- 6 SB 131 - Yates
- 7 SCS SB 133 - Yates
- 8 SB 149 - Stevenson
- 9 SB 156 - Richard
- 10 SB 178 - Schaaf
- 11 SB 211 - Cooper (120)
- 12 SCS SB 222 - Sutherland

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- 13 HCS SCS SB 246 - Villa
- 14 SB 259 - Baker (123)
- 15 SB 261 - Yates
- 16 SCS SB 266 - Fares
- 17 SCS SB 267 - Jackson
- 18 SB 279 - Wasson
- 19 SCS SB 289 - Tilley
- 20 SB 298 - Wright-Jones
- 21 SB 299 - Wright-Jones
- 22 SCS SB 302 - Cunningham (86)
- 23 SB 306 - Dethrow
- 24 HCS SB 307 - Kuessner
- 25 SB 318 - Cooper (120)
- 26 SB 347 - Cooper (155)
- 27 SB 394 - Pearce
- 28 SCS SB 407 - Lipke
- 29 SB 453 - St. Onge
- 30 SB 480 - Kraus
- 31 HCS SB 490 - Pearce
- 32 SCS SB 501 - Stefanick
- 33 SB 507 - Baker (25)
- 34 SB 516 - Richard
- 35 SB 518 - Cooper (155)
- 36 SCS SB 6 - Lager
- 37 HCS SB 38 - Ruestman
- 38 SB 122 - Wright (137)
- 39 SB 162 - Cooper (155)
- 40 HCS SB 174, E.C. - Bruns
- 41 HCS SB 177 - Behnen
- 42 HCS SCS SB 182 - Rector
- 43 SB 209 - Pearce
- 44 HCS SB 216 - Goodman
- 45 SCS SB 227 - Kuessner
- 46 HCS SCS SB 238 - Faith
- 47 SCS SB 247 - Bruns
- 48 SB 265 - Wood
- 49 SB 288 - Lager
- 50 SB 304 - Ervin
- 51 HCS SB 308 - Pollock
- 52 SB 317 - Smith (118)
- 53 SCS SB 354 - Schlottach
- 54 SB 357 - Johnson (47)
- 55 HCS SB 364, E.C. - Franz

- 56 HCS SCS SB 372 - Kuessner
- 57 SCS SB 374 - Zweifel
- 58 SB 396 - Sutherland
- 59 HCS SB 401 - Lembke
- 60 SB 418 - Lipke
- 61 HCS SB 422 - Yates
- 62 HCS SCS SB 423 - Lipke
- 63 HCS SCS SB 450, E.C. - Portwood
- 64 SCS SB 496 - Kelly
- 65 SCS SB 502, E.C. - Portwood
- 66 SB 521, HCA1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 270, E.C. - Richard
- 2 HCS SB 21 - Stevenson
- 3 HCS SCS SB 70 - Richard
- 4 SCS SB 73 - Weter
- 5 HCS SCS#2 SB 155 - Kingery
- 6 SCS SB 258 - Baker (123)
- 7 SB 367 - Deeken
- 8 SCS SB 390 - Pratt
- 9 SB 488, HCA 1 - Robinson
- 10 HCS SCS SB 10 & 27, E.C. - Lipke
- 11 SCS SB 170, E.C. - Byrd
- 12 SS SCS SB 179 - Rector
- 13 HCS SB 189, E.C.- Icet
- 14 HCS SCS SB 252, E.C. - Pearce
- 15 SB 280 - Wasson
- 16 SB 286 - Kingery
- 17 SB 323 - Cooper (155)
- 18 SB 479 - May
- 19 SB 526 - Cunningham (145)

(1 hour debate for Third Reading)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 23, (4-13-05, Pages 1033-1034) - Sutherland

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-SECOND DAY, MONDAY, APRIL 25, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You are the God of our strength; You have not put us from Your presence. We refuse to sorrow because of the many attacks on our character and our stated positions. Let Your light and Your truth lead us; let them bring us to Your desired strategies and purposes.

May we never put faith in our own strength, wisdom, or intellect nor believe our skills will be our salvation, but may we boast continually in You, and give thanks to Your name forever.

May You show us Your constant love throughout the day, so that we may have a song at night, comfort of soul, and a prayer to the God of our life.

May our speech be civil and our motives true as You perfect the work of our hand.

We ask these things of You, the only true and wise God, through Jesus Christ, be the glory forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixtieth day was approved as corrected.

The Journal of the sixty-first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2450 - Representative Pearce, et al.
House Resolution No. 2451 - Representative Wagner
House Resolution No. 2452 - Representative Phillips
House Resolution No. 2453 - Representative Cooper (158)
House Resolution No. 2454
and
House Resolution No. 2455 - Representative Denison
House Resolution No. 2456 - Representative Quinn
House Resolution No. 2457
through
House Resolution No. 2462 - Representative Lager

House Resolution No. 2463
and
House Resolution No. 2464 - Representative Bruns
House Resolution No. 2465 - Representatives Kratky and LeVota
House Resolution No. 2466
through
House Resolution No. 2470 - Representative Swinger
House Resolution No. 2471 - Representative Parson
House Resolution No. 2472 - Representative Walsh
House Resolution No. 2473
through
House Resolution No. 2486 - Representative Franz
House Resolution No. 2487 - Representatives Wilson (130) and Ruestman
House Resolution No. 2488 - Representative Henke
House Resolution No. 2489 - Representative Harris (110)
House Resolution No. 2490
through
House Resolution No. 2492 - Representative Kingery
House Resolution No. 2493 - Representative Robinson
House Resolution No. 2494 - Representative Emery
House Resolution No. 2495 - Representative Wasson
House Resolution No. 2496
through
House Resolution No. 2498 - Representative Pratt, et al.
House Resolution No. 2499 - Representative Pratt
House Resolution No. 2500
through
House Resolution No. 2502 - Representative Whorton
House Resolution No. 2503
through
House Resolution No. 2505 - Representative Lager
House Resolution No. 2506
and
House Resolution No. 2507 - Representative Myers
House Resolution No. 2508 - Representative Jones

PERFECTION OF HOUSE BILLS

HCS HB 697, with House Amendment No. 1 to House Amendment No. 2 and House Amendment No. 2, pending, relating to motor vehicle emissions, was taken up by Representative Lembke.

Representative Selby moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

HCS HB 697, with House Amendment No. 2, pending, was laid over.

HB 952, relating to sales tax on personal care services, was taken up by Representative Icet.

HB 952 was laid over.

HCS HB 91, relating to tax increment financing, was taken up by Representative Johnson (47).

Representative Johnson (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 91, Page 6, Section 99.866, Line 3, by deleting “**fifteen**” and inserting in lieu thereof “**twenty**”; and

Further amend said section, Page 6, Line 18, by inserting after the word “**uses**” the following:

“**except in central business districts as defined in section 99.918**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 1** was adopted.

Representative Wildberger offered **House Amendment No. 2**.

Representative Smith (118) raised a point of order that **House Amendment No. 2** is not germane to the underlying bill.

The Chair ruled the point of order well taken.

Representative Page offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 91, Page 6, Section 99.810, Line 39, by inserting after all of said line the following:

“(7) A finding that the plan does not include the initial development or redevelopment of any retailer that has been found guilty of or has pleaded guilty to violating any labor, health and safety, or environmentally related laws, whether federal or state, within the last five years, provided however, that this subdivision shall be applicable only to a plan adopted by ordinance after January 1, 2006.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Page moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Corcoran offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 91, Page 4, Section 99.805, Line 124, by inserting after all of said line the following:

"(17) "Superstore retailer", store or stores being developed under a single project having greater than one hundred thousand square feet of gross building area at full build-out that will dedicate more than fifteen thousand square feet of selling space to food and drug;", and renumber remaining subdivision accordingly; and

Further amend said bill, Page 6, Section 99.810, Line 39, by deleting all of said line and inserting in lieu thereof the following: "23, 1997;" and

Further amend said bill, Page 6, Section 99.810, Line 39, by inserting after all of said line the following:

"(7) A finding that the plan does not include the initial development or redevelopment of any superstore retailer, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after January 1, 2006."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Corcoran moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Johnson (47), **HCS HB 91, as amended**, was adopted.

On motion of Representative Johnson (47), **HCS HB 91, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HB 639, as amended, relating to the Betty L. Thompson Scholarship Program, was taken up and placed back on the Informal Calendar.

THIRD READING OF SENATE BILLS - CONSENT

SCS SB 68, relating to college athletics sales tax exemption, was taken up by Representative Yates.

On motion of Representative Yates, **SCS SB 68** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith

Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 003

Brooks	Johnson 61	Skaggs
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PRESENT: 002

El-Amin	Lowe 44
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ABSENT WITH LEAVE: 006

Bean	Bowman	Boykins	Marsh	Parson
Sander				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SB 24, relating to the Franklin County Law Library Fund, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HCS SCS SB 24** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon

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Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bowman	Boykins	Marsh	Parson
Sander				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SB 71, relating to disaster service volunteers, was taken up by Representative Nieves.

On motion of Representative Nieves, **SB 71** was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest

Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bowman	Boykins	Marsh	Parson
Sander				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SB 100, relating to speech pathology and audiology, was taken up by Representative Dixon.

On motion of Representative Dixon, **HCS SCS SB 100** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice

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Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bowman	Boykins	Marsh	Parson
Sander				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SBs 103 & 115, relating to pupil residency waivers, was taken up by Representative Yates.

HCS SCS SBs 103 & 115 was laid over.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 179 - Fiscal Review (Fiscal Note)
SB 194 - Crime Prevention and Public Safety
SCS SB 196 - Ways and Means
SS SB 348 - Professional Registration and Licensing
SCS SB 481 - Elementary and Secondary Education

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 400** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 649** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 490**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 15, introduced by Representative Lager, to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2005 and ending June 30, 2007.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 40**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 47**, entitled:

An act to repeal section 182.640, RSMo, and to enact in lieu thereof one new section relating to consolidated public library districts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 127**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 215**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 248**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 260**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 280**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 342**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 345**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 379**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 395**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 402**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 431**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 448**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 524**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 600**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 678**, entitled:

An act to repeal sections 351.107, 351.180, 351.182, 351.295, and 409.2-202, RSMo, and to enact in lieu thereof five new sections relating to corporations.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 678, Page 4, Section 351.180, Line 86, by striking "uncertified" and inserting in lieu thereof "**uncertificated**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 707**, entitled:

An act to repeal sections 361.060, 361.070, 361.080, 361.262, 361.365, 362.042, 362.107, 362.170, 362.210, 362.213, 362.215, 362.217, 362.225, 362.300, 362.305, 362.310, 362.315, 362.520, and 362.600, RSMo, and to enact in lieu thereof thirteen new sections relating to banking, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 402**, entitled:

An act to repeal sections 302.178, 311.310, 311.325, 570.223, and 577.500, RSMo, and to enact in lieu thereof eight new sections relating to substance abuse, with penalty provisions.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Parson and Boykins.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m, Tuesday, April 26, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixtieth Day, Thursday, April 21, 2005, Page 1198, Lines 2 through 13, by deleting all of said lines and inserting in lieu thereof the following:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **SS SB 95**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

AFFIDAVIT

I, State Representative Al Liese, District 79, hereby state and affirm that my vote as recorded on Page 1190 of the House Journal for Thursday, April 21, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 25th day of April 2005.

/s/ Al Liese
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 25th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 18, HB 19

CHILDREN AND FAMILIES

Tuesday, April 26, 2005, 9:30 a.m. House Chamber side gallery.

Executive session will be held on: HB 970

FINANCIAL INSTITUTIONS

Tuesday, April 26, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow. Meeting to convene at 12:30 p.m.

Public hearings to be held on: HB 965, SB 476

FISCAL REVIEW

Wednesday, April 27, 2005, 9:00 a.m. Hearing Room 4.

Bill to be considered - SS SCS SB 179.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 7.

Second quarter meeting.

JUDICIARY

Tuesday, April 26, 2005, Hearing Room 7 upon morning recess.

Executive session.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 26, 2005, 8:00 a.m. Hearing Room 5.

Executive session.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 26, 2005, 12:00 p.m. Hearing Room 5.

Executive session.

SPECIAL COMMITTEE ON EDUCATION FUNDING

Tuesday, April 26, 2005, 7:00 p.m. Hearing Room 6.

Executive session.

Public hearing to be held on: SS SCS SB 287

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 27, 2005, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearing to be held on: SCS SB 500

SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 2, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 911, SCS SCR 6, SCS SCR 8

TRANSPORTATION

Wednesday, April 27, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 851, HB 766, HB 769, HB 833

HOUSE CALENDAR

SIXTY-THIRD DAY, TUESDAY, APRIL 26, 2005

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 15

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 474 - Yates
 - 2 HCS HB 628 - Byrd
 - 3 HCS HB 255 - Cunningham (86)
 - 4 HCS HB 387 - Byrd
 - 5 HB 572 - Stevenson
 - 6 HCS HB 560 - Wright (137)
 - 7 HCS HB 853 - Loehner
 - 8 HB 291, as amended - Cooper (155)
 - 9 HCS HB 272 - Pratt
 - 10 HCS HB 697, HA 2, pending - Lembke
 - 11 HB 721 - Flook
 - 12 HCS HB 671 - Sutherland
 - 13 HCS HB 804 - Smith (118)
 - 14 HB 679 - Kraus
 - 15 HCS HB 192 - Sander
 - 16 HCS HB 665 - Behnen
 - 17 HCS HB 742 - Bearden
- (2 hours debate on Perfection)

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- 18 HCS HB 854 - Richard
- 19 HCS HB 924 - Wallace
- 20 HCS HB 972 - Jetton
- 21 HB 952 - Icet
- 22 HCS HB 231 - Portwood
- 23 HCS#2 HB 586 - Sander
- 24 HCS HB 591, 210, 377, 760 & 777 - Schlottach
- 25 HB 784 - Meadows
- 26 HB 880 - Hughes
- 27 HB 633 - Lipke
- 28 HB 789 - Salva

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 3 HCS HB 400 - Yates
- 4 HCS HB 649 - Fares
- 5 HCS HB 91 - Johnson (47)

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILL FOR SECOND READING

SS SB 402

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE JOINT RESOLUTION FOR THIRD READING

SS SJR 1 - Chinn

SENATE BILLS FOR THIRD READING - CONSENT

- 1 HCS SCS SBs 103 & 115 - Yates
- 2 SB 131 - Yates
- 3 SCS SB 133 - Yates
- 4 SB 149 - Stevenson
- 5 SB 156 - Richard
- 6 SB 178 - Schaaf
- 7 SB 211 - Cooper (120)
- 8 SCS SB 222 - Sutherland
- 9 HCS SCS SB 246 - Villa
- 10 SB 259 - Baker (123)
- 11 SB 261 - Yates
- 12 SCS SB 266 - Fares
- 13 SCS SB 267 - Jackson
- 14 SB 279 - Wasson
- 15 SCS SB 289 - Tilley
- 16 SB 298 - Wright-Jones
- 17 SB 299 - Wright-Jones
- 18 SCS SB 302 - Cunningham (86)
- 19 SB 306 - Dethrow
- 20 HCS SB 307 - Kuessner
- 21 SB 318 - Cooper (120)
- 22 SB 347 - Cooper (155)
- 23 SB 394 - Pearce
- 24 SCS SB 407 - Lipke
- 25 SB 453 - St. Onge
- 26 SB 480 - Kraus
- 27 HCS SB 490 - Pearce
- 28 SCS SB 501 - Stefanick
- 29 SB 507 - Baker (25)
- 30 SB 516 - Richard
- 31 SB 518 - Cooper (155)
- 32 SCS SB 6 - Lager
- 33 HCS SB 38 - Ruestman
- 34 SB 122 - Wright (137)
- 35 SB 162 - Cooper (155)
- 36 HCS SB 174, E.C. - Bruns
- 37 HCS SB 177 - Behnen
- 38 HCS SCS SB 182 - Rector
- 39 SB 209 - Pearce
- 40 HCS SB 216 - Goodman
- 41 SCS SB 227 - Kuessner
- 42 HCS SCS SB 238 - Faith
- 43 SCS SB 247 - Bruns
- 44 SB 265 - Wood
- 45 SB 288 - Lager

- 46 SB 304 - Ervin
- 47 HCS SB 308 - Pollock
- 48 SB 317 - Smith (118)
- 49 SCS SB 354 - Schlottach
- 50 SB 357 - Johnson (47)
- 51 HCS SB 364, E.C. - Franz
- 52 HCS SCS SB 372 - Kuessner
- 53 SCS SB 374 - Zweifel
- 54 SB 396 - Sutherland
- 55 HCS SB 401 - Lembke
- 56 SB 418 - Lipke
- 57 HCS SB 422 - Yates
- 58 HCS SCS SB 423 - Lipke
- 59 HCS SCS SB 450, E.C. - Portwood
- 60 SCS SB 496 - Kelly
- 61 SCS SB 502, E.C. - Portwood
- 62 SB 521, HCA1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 270, E.C. - Richard
- 2 HCS SB 21 - Stevenson
- 3 HCS SCS SB 70 - Richard
- 4 SCS SB 73 - Weter
- 5 HCS SCS#2 SB 155 - Kingery
- 6 SCS SB 258 - Baker (123)
- 7 SB 367 - Deeken
- 8 SB 378 - Boykins
- 9 SCS SB 390 - Pratt
- 10 SB 488, HCA 1 - Robinson
- 11 HCS SCS SB 10 & 27, E.C. - Lipke
- 12 SCS SB 170, E.C. - Byrd
- 13 SS SCS SB 179, (Fiscal Review 4-25-05) - Rector
- 14 HCS SB 189, E.C. - Icet (1 hour debate for Third Reading)
- 15 HCS SCS SB 252, E.C. - Pearce
- 16 SB 280 - Wasson
- 17 SB 286 - Kingery
- 18 SB 323 - Cooper (155)
- 19 SB 479 - May
- 20 SB 526 - Cunningham (145)
- 21 SB 180 - Cooper (158)
- 22 HCS SS SCS SB 237 - Rector
- 23 HCS SCS SB 260 - Baker (123)
- 24 SB 268 - Byrd
- 25 SB 274 - Richard
- 26 SS SCS SB 346 - Ruestman

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 23, (4-13-05, Pages 1033-1034) - Sutherland

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-THIRD DAY, TUESDAY, APRIL 26, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father James Smith.

Pied Beauty

By: Rev. Gerard Manley Hopkins, S. J.

Glory be to God for dappled things---
For skies of couple-color as a brindled cow;
For rose-moles all in stipple upon trout that swim;
Fresh-firecoal chestnut-falls; finches' wings'
Landscape plotted and pieced – fold, fallow, and plough;
And all trades, their gear and tackle and trim.

All things counter, original, spare, strange;
Whatever is fickle, freckled (who knows how?)
With swift, slow; sweet, sour; adazzle, dim;
He fathers-forth whose beauty is past change:
Praise Him.

Father in Heaven, all of Your creation does praise You in the beauty and dignity that You have given it. Help us to see Your glory in Your creation, and guide our actions in praise of Your sovereignty. We pray to You who reigns as God of life and death forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nathen Gober, Owen Gober, Emma Gober, Peter Fehner, Emily Ross, James Schneider, Andrew Thompson, Brandon Uebele, Kaitlin Long, Adam Reeves, Joe Griffith, Trevor Burge, Nicolaas Bradbaart, Eleanor Rose Clark, Michael Barbercheck, Kariann Lee Kloss, Elliot James Bulejski, Kimberly Mae Kloss, Carly Nicole Cressler, Paige Madison Krejci, Andrea Keltz, Luke Beattie, Conor O'Neal, Rachel Rost, Janssen Blackmon and Dorjai West.

The Journal of the sixty-second day was approved as printed.

SPECIAL RECOGNITION

Jonathan and Phillip Arnold of Gallatin were introduced by Representative Whorton and recognized as Outstanding Missourians.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2509 - Representative Corcoran
House Resolution No. 2510 - Representative LeVota
House Resolution No. 2511 - Representative Wasson
House Resolution No. 2512 - Representative Cunningham (145)
House Resolution No. 2513 - Representative Jetton
House Resolution No. 2514 - Representative Moore
House Resolution No. 2515 - Representative Goodman
House Resolution No. 2516 - Representative Lampe
House Resolution No. 2517 - Representative Schlottach
House Resolution No. 2518 - Representative Dethrow
House Resolution No. 2519
through
House Resolution No. 2532 - Representative Robb

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 15 was read the second time.

SECOND READING OF SENATE BILL

SS SB 402 was read the second time.

THIRD READING OF SENATE BILLS

HCS SB 21, relating to the Putative Father Registry Fund, was taken up by Representative Stevenson.

Representative Fraser offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 21, Page 3, Section 453.020, Line 13, by inserting after all of said line the following:

"453.121. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Adopted adult", any adopted person who is [twenty-one] **eighteen** years of age or over;
- (2) "Adopted child", any adopted person who is less than [twenty-one] **eighteen** years of age;
- (3) "Adult sibling", any brother or sister of the whole or half blood who is [twenty-one] **eighteen** years of age or over;
- (4) "Identifying information", information which includes the name, date of birth, place of birth and last known address of the biological parent;
- (5) "Nonidentifying information", information concerning the physical description, nationality, religious background and medical history of the biological parent or sibling.

2. All papers, records, and information pertaining to an adoption whether part of any permanent record or file may be disclosed only in accordance with this section.

3. Nonidentifying information, if known, concerning undisclosed biological parents or siblings shall be furnished by the child-placing agency or the juvenile court to the adoptive parents, legal guardians or adopted adult upon written request therefor.

4. An adopted adult may make a written request to the circuit court having original jurisdiction of such adoption to secure and disclose information identifying the adopted adult's biological parents. **If the biological parents have consented to the release of identifying information under subsection 11 of this section, the court shall disclose such identifying information to the adopted adult. If the biological parents have not consented to the release of identifying information under subsection 11 of this section,** the court shall, within ten days of receipt of the request, notify in writing the adoptive parents of such petitioner and the child-placing agency or juvenile court personnel having access to the information requested of the request by the adopted adult.

5. Within three months after receiving notice of the request of the adopted adult, the child-placing agency or juvenile court personnel shall notify the adoptive parents, if such adoptive parents are living and shall not make any attempt to notify the biological parents without prior written consent of such adoptive parents for adoptions instituted or completed prior to August 13, 1986, but may proceed if there is proof that the adoptive parents are deceased or incapacitated, as such term is defined in chapter 475, RSMo. If the adoptive parents are living but are unwilling to give such written consent, the child-placing agency or the juvenile court personnel shall make a written report to the court stating that they were unable to notify the biological parent. If the adoptive parents are deceased or give written consent, the child-placing agency or the juvenile court personnel shall make reasonable efforts to notify the biological parents of the request of the adopted adult. The child-placing agency or juvenile court personnel may charge actual costs to the adopted adult for the cost of making such search. All communications under this subsection are confidential. For purposes of this subsection, "notify" means a personal and confidential contact with the biological parent of the adopted adult, which initial contact shall not be made by mail and shall be made by an employee of the child-placing agency which processed the adoption, juvenile court personnel or some other licensed child-placing agency designated by the child-placing agency or juvenile court. Nothing in this section shall be construed to permit the disclosure of communications privileged pursuant to section 491.060, RSMo. At the end of three months, the child-placing agency or juvenile court personnel shall file a report with the court stating that each biological parent that was located was given the following information:

- (1) The nature of the identifying information to which the agency has access;
- (2) The nature of any nonidentifying information requested;
- (3) The date of the request of the adopted adult;
- (4) The right of the biological parent to file an affidavit with the court stating that the identifying information should be disclosed;
- (5) The effect of a failure of the biological parent to file an affidavit stating that the identifying information should be disclosed.

6. If the child-placing agency or juvenile court personnel reports to the court that it has been unable to notify the biological parent within three months, the identifying information shall not be disclosed to the adopted adult. Additional requests for the same or substantially the same information may not be made to the court within one year from the end of the three-month period during which the attempted notification was made, unless good cause is shown and leave of court is granted.

7. If, within three months, the child-placing agency or juvenile court personnel reports to the court that it has notified the biological parent pursuant to subsection 5 of this section, the court shall receive the identifying information from the child-placing agency. If an affidavit duly executed by a biological parent authorizing the release of information is filed with the court, the court shall disclose the identifying information as to that biological parent to the adopted adult, provided that the other biological parent either:

- (1) Is unknown;
- (2) Is known but cannot be found and notified pursuant to section 5 of this act;
- (3) Is deceased; or
- (4) Has filed with the court an affidavit authorizing release of identifying information. If the biological parent fails or refuses to file an affidavit with the court authorizing the release of identifying information, then the identifying information shall not be released to the adopted adult. No additional request for the same or substantially the same information may be made within three years of the time the biological parent fails or refuses to file an affidavit authorizing the release of identifying information.

8. If the biological parent is deceased but previously had filed an affidavit with the court stating that identifying information shall be disclosed, the information shall be forwarded to and released by the court to the adopted adult. If the biological parent is deceased and, at any time prior to his death, the biological parent did not file an affidavit with the court stating that the identifying information shall be disclosed, the adopted adult may petition the court for an order

releasing the identifying information. The court shall grant the petition upon a finding that disclosure of the information is necessary for health-related purposes.

9. Any adopted adult whose adoption was finalized in this state or whose biological parents had their parental rights terminated in this state may request the court to secure and disclose identifying information concerning an adult sibling and upon a finding by the court that such information is necessary for urgent health-related purposes in the same manner as provided in this section. Identifying information pertaining exclusively to the adult sibling, whether part of the permanent record of a file in the court or in an agency, shall be released only upon consent of that adult sibling.

10. The central office of the **children's** division [of family services of] **within** the department of social services shall maintain a registry by which biological parents, **adult siblings**, and adoptive adults may indicate their desire to be contacted by each other. The division may request such identification for the registry as a party may possess to assure positive identifications. [If] **At the time of registry, a biological parent or adult sibling may consent in writing to the release of identifying information to an adopted adult. If such a consent has not been executed and** the division believes that a match has occurred on the registry between [both] biological parents **or adult siblings** and an adopted adult, an employee of the division shall make the confidential contact provided in subsection 5 of this section with the biological parents **or adult siblings** and with the adopted adult. If the division believes that a match has occurred on the registry between one biological parent **or adult sibling** and an adopted adult, an employee of the division shall make the confidential contact provided by subsection 5 of this section with the biological parent **or adult sibling**. The division shall then attempt to make such confidential contact with the other biological parent, and shall proceed thereafter to make such confidential contact with the adopted adult only if the division determines that the other biological parent meets one of the conditions specified in subsection 7 of this section. The biological parent, **adult sibling**, or adopted adult may refuse to go forward with any further contact between the parties when contacted by the division.

11. The provisions of this section, except as provided in subsection 5 of this section governing the release of identifying and nonidentifying adoptive information apply to adoptions completed before and after August 13, 1986."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Fraser, **House Amendment No. 1** was adopted by the following vote:

AYES: 124

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Deeken	Dempsey	Donnelly
Dougherty	Dusenberg	Emery	Faith	Fares
Flook	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hughes	Ice	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McGhee
Meadows	Meiners	Muschany	Nance	Nieves
Nolte	Oxford	Page	Pearce	Phillips
Portwood	Pratt	Quinn	Rector	Richard
Robb	Robinson	Roorda	Rucker	Rupp
Salva	Sater	Sander	Schaaf	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Weter	Whorton
Wildberger	Witte	Wright 159	Wright-Jones	Yaeger

Yates Young Zweifel Mr Speaker

NOES: 029

Behnen	Chinn	Davis	Day	Denison
Dethrow	Dixon	Ervin	Fisher	Franz
Hobbs	Hunter	Jackson	Kelly	Kingery
May	Moore	Munzlinger	Myers	Pollock
Roark	Ruestman	Stevenson	Viebrock	Wells
Wilson 119	Wilson 130	Wood	Wright 137	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Byrd	El-Amin	Hubbard	Marsh
Parker	Parson	Schad	Wasson	

VACANCIES: 001

Representative Jolly offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 21, Page 1, Section A, Line 2, by inserting after all of said line the following:

- "191.975. 1. This section shall be known and may be cited as the "Adoption Awareness Law".
2. To raise public awareness and to educate the public, the department of social services, with the assistance of the department of health and senior services, shall be responsible for:
- (1) Collecting and distributing resource materials to educate the public about foster care and adoption;
 - (2) Developing and distributing educational materials, including but not limited to videos, brochures and other media as part of a comprehensive public relations campaign about the positive option of adoption and foster care. The materials shall include, but not be limited to, information about:
 - (a) The benefits of adoption and foster care;
 - (b) Adoption and foster care procedures;
 - (c) Means of financing the cost of adoption and foster care, including but not limited to adoption subsidies, foster care payments and special needs adoption tax credits;
 - (d) Options for birth parents in choosing adoptive parents;
 - (e) Protection for and rights of birth parents and adoptive parents prior to and following the adoption;
 - (f) Location of adoption and foster care agencies;
 - (g) Information regarding various state health and social service programs for pregnant women and children, including but not limited to medical assistance programs and temporary assistance for needy families (TANF); and
 - (h) Referrals to appropriate counseling services, including but not be limited to counseling services for parents who are considering retaining custody of their children, placing their children for adoption, or becoming foster or adoptive parents; but excluding any referrals for abortion or to abortion facilities;
 - (3) Making such educational materials available through state and local public health clinics, public hospitals, family planning clinics, abortion facilities as defined in section 188.015, RSMo, maternity homes as defined in section 135.600, RSMo, child-placing agencies licensed pursuant to sections 210.481 to 210.536, RSMo, attorneys whose practice involves private adoptions, in vitro fertilization clinics and private physicians for distribution to their patients who request such educational materials. Such materials shall also be available to the public through the department of social services' Internet web site; [and]
 - (4) Establishing a toll-free telephone number for information on adoption and foster care, **and to answer questions and assist persons inquiring about becoming adoptive or foster parents.**
- 3. In addition, the department may establish and implement an ongoing advertising campaign for the recruitment of adoptive and foster care families, with a special emphasis on the recruitment of qualified adoptive**

and foster care families for special needs children. Such advertising campaign may utilize, but shall not be limited to, the following media: television, radio, outdoor advertising, newspaper, magazines and other print media, web sites, and the Internet. The department may contract with professional advertising agencies or other professional entities to conduct such advertising campaign on behalf of the department.

[3.] **4.** The provisions of this section shall be subject to appropriations.

[4.] **5.** The department of social services shall promulgate rules for the implementation of this section in accordance with chapter 536, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Jolly, **House Amendment No. 2** was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Henke	Hobbs
Hunter	Ice	Jackson	Johnson 47	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Oxford	Page	Parker	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 013

Bowman	Boykins	Chappelle-Nadal	Dougherty	El-Amin
Haywood	Hoskins	Hughes	Johnson 61	May
Myers	Rucker	Wright-Jones		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 004

Bean Hubbard Marsh Parson

VACANCIES: 001

On motion of Representative Stevenson, **HCS SB 21, as amended**, was adopted.

On motion of Representative Stevenson, **HCS SB 21, as amended**, was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean

Deeken

Marsh

Parson

Rupp

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS#2 SB 155, relating to child abuse and neglect reports, was taken up by Representative Kingery.

Representative Johnson (90) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 155, Page 1, Section A, Line 2, by inserting after said language the following:

“210.117. **1.** No child taken into the custody of the state shall be reunited with a parent or placed in a home in which the parent or any person residing in the home has been found guilty of, or pled guilty to, a felony violation of chapter 566, RSMo, except for section 566.034, RSMo, when a child was the victim, or a violation of section 568.020, 568.045, 568.060, 568.065, 568.070, 568.080, 568.090, or 568.175, RSMo, except for subdivision (1) of subsection 1 of section 568.060, RSMo, when a child was the victim, or an offense committed in another state when a child is the victim, that would be a felony violation of chapter 566, RSMo, except for section 566.034, RSMo, or a violation of section 568.020, 568.045, 568.060, 568.065, 568.070, 568.080, 568.090, or 568.175, RSMo, except for subdivision (1) of subsection 1 of section 568.060, RSMo, if committed in Missouri; provided however, nothing in this section shall preclude the division from exercising its discretion regarding the placement of a child in a home in which the parent or any person residing in the home has been found guilty of or pled guilty or nolo contendere to any offense excepted or excluded in this section.

2. If a court of competent jurisdiction determines or the division determines, based on a substantiated report of child abuse that is upheld by the child abuse and neglect review board that a minor has abused another child, such minor shall be prohibited from returning to or residing in any residence located within one thousand feet of the residence of the abused child, or any child care facility or school that the abused child attends until the abused child reaches eighteen years of age. The prohibitions of this subsection shall not apply where the alleged abuse occurred between siblings.”; and

Further amend House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 155, Page 3, Section 210.152, Line 63, by inserting after said language the following:

“210.710. **1.** In the case of a child who has been committed to the care of an authorized agency by a parent, guardian or relative and where such child has remained in the care of one or more authorized agencies for a continuous period of six months, the agency shall petition the juvenile court in the county where the child is present to review the status of the child. A written report on the status of the child shall be presented to the court. The court shall then review the status of the child and may hold a dispositional hearing thereon. The purpose of the dispositional hearing shall be to determine whether or not the child should be continued in foster care or whether the child should be returned to a parent, guardian or relative, or whether or not proceedings should be instituted to terminate parental right and legally free such child for adoption.

2. If the child is in the care of an authorized agency based on an allegation that the child has abused another child and the court determines that such abuse occurred, the court shall not return the child to or permit the child to reside in any residence located within one thousand feet of the residence of the abused child, or any child care facility or school that the abused child attends until the abused child reaches eighteen years of age. The prohibitions of this subsection shall not apply where the alleged abuse occurred between siblings.

210.720. **1.** In the case of a child who has been placed in the custody of the division of family services in accordance with subdivision (17) of subsection 1 of section 207.020, RSMo, or another authorized agency by a court

or who has been placed in foster care by a court, every six months after the placement, the foster family, group home, agency, or child care institution with which the child is placed shall file with the court a written report on the status of the child. The court shall review the report and shall hold a permanency hearing within twelve months of initial placement and at least annually thereafter. The permanency hearing shall be for the purpose of determining in accordance with the best interests of the child a permanent plan for the placement of the child, including whether or not the child should be continued in foster care or whether the child should be returned to a parent, guardian or relative, or whether or not proceedings should be instituted by either the juvenile officer or the division to terminate parental rights and legally free such child for adoption.

2. In such permanency hearings the court shall consider all relevant factors including:

(1) The interaction and interrelationship of the child with the child's foster parents, parents, siblings, and any other person who may significantly affect the child's best interests;

(2) The child's adjustment to his or her foster home, school and community;

(3) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved. **If the child is in the care of an authorized agency based on an allegation that the child has abused another child and the court determines that such abuse occurred, the court shall not return the child to or permit the child to reside in any residence located within one thousand feet of the residence of the abused child, or any child care facility or school that the abused child attends until the abused child reaches eighteen years of age. The prohibitions of this subsection shall not apply where the alleged abuse occurred between siblings;** and

(4) The needs of the child for a continuing relationship with the child's parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child.

3. The judge shall make written findings of fact and conclusions of law in any order pertaining to the placement of the child.

211.038. **1.** No child under the jurisdiction of the juvenile court shall be reunited with a parent or placed in a home in which the parent or any person residing in the home has been found guilty of, or pled guilty to, a felony violation of chapter 566, RSMo, except for section 566.034, RSMo, when a child was the victim, or a violation of sections 568.020, 568.045, 568.060, 568.065, 568.070, 568.080, 568.090, and 568.175, RSMo, except for subdivision (1) of subsection 1 of section 568.060, RSMo, when a child was the victim, or an offense committed in another state when a child is the victim, that would be a felony violation of chapter 566, RSMo, except for section 566.034, RSMo, or a violation of sections 568.020, 568.045, 568.060, 568.065, 568.070, 568.080, 568.090, and 568.175, RSMo, except for subdivision (1) of subsection 1 of section 568.060, RSMo, if committed in Missouri; provided however, nothing in this section shall preclude the juvenile court from exercising its discretion regarding the placement of a child in a home in which the parent or any person residing in the home has been found guilty of or pled guilty or nolo contendere to any offense excepted or excluded in this section.

2. If the juvenile court determines that a minor has abused another child, such minor shall be prohibited from returning to or residing in any residence located within one thousand feet of the residence of the abused child, or any child care facility or school that the abused child attends until the abused child reaches eighteen years of age. The prohibitions of this subsection shall not apply where the alleged abuse occurred between siblings.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 1** was adopted.

On motion of Representative Kingery, **HCS SCS#2 SB 155, as amended**, was adopted by the following vote:

AYES: 106

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher

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Flook	Franz	Guest	Harris 110	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 90	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
Loehner	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Roark	Robb	Roorda	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Wagner	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 051

Baker 25	Bland	Bowman	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fraser	George	Goodman	Harris 23	Haywood
Hoskins	Hubbard	Johnson 47	Johnson 61	Jolly
LeVota	Lipke	Low 39	Lowe 44	Oxford
Page	Richard	Robinson	Rucker	Schneider
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 001

Boykins

ABSENT WITH LEAVE: 004

Bean	Liese	Marsh	Nolte
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VACANCIES: 001

On motion of Representative Kingery, **HCS SCS#2 SB 155, as amended**, was read the third time and passed by the following vote:

AYES: 120

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Guest
Harris 23	Harris 110	Henke	Hobbs	Hughes
Hunter	Ice	Jackson	Johnson 90	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese

Loehner	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Selby	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 038

Baker 25	Bland	Bowman	Bringer	Brooks
Brown 50	Burnett	Chappelle-Nadal	Curls	Darrrough
Daus	Donnelly	El-Amin	Fraser	George
Goodman	Haywood	Hoskins	Johnson 47	Johnson 61
Jolly	Lipke	Low 39	Lowe 44	Oxford
Page	Schoemehl	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 001

Boykins

ABSENT WITH LEAVE: 003

Bean	Hubbard	Marsh
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SB 270, relating to the Linked Deposit Program, was taken up by Representative Richard.

Representative Richard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Section 1, Page 21, Line 32, by deleting all of said line and inserting in lieu thereof the following, “**and other banking-related costs, shall not exceed fifteen basis points, or fifteen hundredths of one**”; and

Further amend said section, Page 21, Line 37, by inserting after all of said line the following:

“5. The provisions of this section shall not be applicable to the state road fund created in section 226.220, RSMo, the motor fuel tax fund created in section 142.345, RSMo, the state highways and transportation department fund created in section 226.200, RSMo, the state transportation fund created in section 226.225, and the state road bond fund created pursuant to article IV, section 30(b), Constitution of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 1** was adopted.

On motion of Representative Richard, **HCS SCS SB 270, as amended**, was adopted.

On motion of Representative Richard, **HCS SCS SB 270, as amended**, was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Iceet	Jackson	Johnson 47	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 003

Johnson 90	Lowe 44	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 003

Bean Haywood Marsh

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 004

Johnson 90 LeVota Skaggs Young

PRESENT: 001

Lowe 44

ABSENT WITH LEAVE: 003

Bean

Marsh

Schlottach

VACANCIES: 001

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2533	-	Representative Bland
House Resolution No. 2534	-	Representative Haywood
House Resolution No. 2535	-	Representative LeVota
House Resolution No. 2536		
through		
House Resolution No. 2538	-	Representative Fraser
House Resolution No. 2539	-	Representative Salva
House Resolution No. 2540	-	Representative Wood
House Resolution No. 2541	-	Representative Nieves
House Resolution No. 2542		
through		
House Resolution No. 2555	-	Representative Cooper (158)
House Resolution No. 2556	-	Representative Cooper (155)
House Resolution No. 2557	-	Representative Flook
House Resolution No. 2558	-	Representative Parson
House Resolution No. 2559		
through		
House Resolution No. 2586	-	Representative Stefanick
House Resolution No. 2587	-	Representative Avery
House Resolution No. 2588		
and		
House Resolution No. 2589	-	Representative Whorton
House Resolution No. 2590		
through		
House Resolution No. 2592	-	Representative Ervin
House Resolution No. 2593	-	Representative Jones
House Resolution No. 2594		
and		
House Resolution No. 2595	-	Representative Self
House Resolution No. 2596	-	Representative Kingery
House Resolution No. 2597	-	Representatives Brown (50) and Jolly
House Resolution No. 2598	-	Representative Threlkeld, et al.

House Resolution No. 2599
and
House Resolution No. 2600 - Representative Wright (137)

SPECIAL RECOGNITION

John Corbett was introduced by Representative Storch and recognized as an Outstanding Missourian.

PERFECTION OF HOUSE BILLS

HCS HB 665, relating to professional registration, was taken up by Representative Behnen.

Representative Behnen offered **House Amendment No. 1**.

House Amendment No. 1

Amend House Committee Substitute for House Bill No. 665, Page 17, Section 328.010, Lines 3 through 5, by striking all of said lines; and

Further amend said substitute, Page 25, Section 329.010, Line 51, by inserting immediately after said line the following:

"(12) "Accredited school of cosmetology or school of manicuring", an establishment operated for the purpose of teaching cosmetology as defined in this section and meeting the criteria set forth under 34 C.F.R. Part 600, sections 600.1 and 600.2."; and

Further amend said substitute, Page 25, Section 329.015, Line 15, by striking the word "four" and inserting in lieu thereof the word **"three"**; and

Further amend said section, Line 17, by inserting immediately after the word "owner" the following:

"as defined in section 329.010, one shall be the owner of a school licensed under subsection 1 of section 329.040"; and

Further amend said section, Page 26, Line 43, by inserting immediately after the word "members" the following:

"and accredited school owner member"; and

Further amend said substitute, Page 31, Section 329.060, Line 10, by inserting a "[immediately after the word "license"; and

Further amend said section, Line 11, by inserting a "]" immediately after the word "applicants"; and

Further amend said substitute, Page 58, Section 337.550, Line 4, by striking the following "329.023" and inserting in lieu thereof the following **"337.543"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dougherty offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 665, Page 1, Line 14 of the amendment, by inserting immediately after said line the following:

AMEND House Committee Substitute for House Bill 665, Page 31, Section 329.050, Line 50,

“6. Any licensed barber or cosmetologist having held an unencumbered license for at least ten years shall be eligible to sit for the Class MO - manicurist license examination.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Behnen, **House Amendment No. 1, as amended**, was adopted.

Representative Behnen offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 665, Page 34, Section 332.304, Line 4, by inserting after **"chapter"** the following:

"if such offsite dental office is a part of an accredited dental hygiene program through the Commission on Dental Accreditation of the American Dental Association as an extended campus facility"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Behnen, **House Amendment No. 2** was adopted.

Representative Bruns offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 665, Section 190.550, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 3** was adopted.

Representative Meadows offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 665, Page 46, Section 334.1024, Line 69, by inserting after all of said line the following:

"335.068. 1. If the board finds merit to a complaint [by an individual incarcerated or under the care and control of the department of corrections] and takes further investigative action, no documentation may appear on file or disciplinary action may be taken in regards to the licensee's license unless the provisions of subsection 2 of section

335.066 have been violated. Any case file documentation that does not result in the board filing an action pursuant to subsection 2 of section 335.066 shall be destroyed within three months after the final case disposition by the board. No notification to any other licensing board in another state or any national registry regarding any investigative action shall be made unless the provisions of subsection 2 of section 335.066 have been violated.

2. Upon written request of the nurse subject to a complaint, prior to August 28, 1999, [by an individual incarcerated or under the care and control of the department of corrections] that did not result in the board filing an action pursuant to subsection 2 of section 335.066, the board and the division of professional registration shall in a timely fashion:

- (1) Destroy all documentation regarding the complaint;
- (2) Notify any other licensing board in another state or any national registry regarding the board's action if they have been previously notified of the complaint; and
- (3) Send a letter to the licensee that clearly states that the board found the complaint to be unsubstantiated, that the board has taken the requested action, and notify the licensee of the provisions of subsection 3 of this section.

3. Any person who has been the subject of an unsubstantiated complaint as provided in subsection 1 or 2 of this section shall not be required to disclose the existence of such complaint in subsequent applications or representations relating to their nursing professions."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Meadows, **House Amendment No. 4** was adopted.

Representative Cooper (120) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 665, Page 2, Section A, Line 21, by inserting after all of said line the following:

"143.775. As used in sections 143.775 to 143.779, the following terms mean:

- (1) **"Director", the director of revenue;**
- (2) **"License", a license, certificate, registration, or authorization issued by a licensing authority under sections 209.319 to 209.339, RSMo, sections 256.010 to 256.453, RSMo, section 375.014, RSMo, and chapters 324 to 340, RSMo, and chapters 344 to 346, RSMo, granting a natural person a right or privilege to engage in an occupation or profession that is subject to suspension, revocation, forfeiture, or termination by the licensing authority. Any new requirement to license a profession assigned to the division of professional registration after the effective date of this section shall be included in the definition of a license;**
- (3) **"Licensee", any person who holds a license;**
- (4) **"Licensing authority", any department, division, board, agency, or instrumentality of this state that issues a license under sections 209.319 to 209.339, RSMo, sections 256.010 to 256.453, RSMo, section 375.014, RSMo, and chapters 324 to 340, RSMo, and chapters 344 to 346, RSMo. Any board or commission assigned to the division of professional registration after the effective date of this section shall be included in the definition of a licensing authority;**
- (5) **"Payment plan", a written plan signed by the taxpayer and approved by the director that incorporates an arrangement for periodic payment of state taxes owed;**
- (6) **"Tax compliance letter", a letter issued by the director that states the taxpayer is in compliance for all of the tax years in which the taxpayer was determined to be delinquent in payment of state taxes or the filing of tax returns.**

143.777. 1. The director shall send, via first class mail, a notice to any taxpayer who is the subject of the transmission of data from the licensing authority to the director under section 143.779 and who is delinquent on any state taxes or has failed to file state income tax returns for any of the three years immediately preceding the license renewal. The notice shall state that the taxpayer's license shall be suspended one hundred twenty days from the date of the notice unless, within such time, the taxpayer presents to the appropriate licensing authority a tax compliance letter.

2. The notice shall include the following information:

(1) A statement that the taxpayer is delinquent in payment of state taxes owed or has failed to file state income tax returns;

(2) The date that the suspension shall go into effect, which shall be one hundred twenty days from the date the notice was issued;

(3) A conspicuous statement as follows: "NOTICE TO TAXPAYER: IN ORDER TO PREVENT YOUR LICENSE SUSPENSION FROM GOING INTO EFFECT, YOU ARE RESPONSIBLE FOR PRESENTING A TAX COMPLIANCE LETTER FROM THE MISSOURI DEPARTMENT OF REVENUE TO YOUR LICENSING ENTITY PRIOR TO THE DATE OF SUSPENSION CITED IN THIS NOTICE.";

(4) A conspicuous statement as follows: "NOTICE TO TAXPAYER: YOU ARE ENTITLED TO A REVIEW OF THE NOTIFICATION PROCESS WITH THE DIRECTOR OF REVENUE. ANY REQUEST FOR REVIEW MUST BE FILED IN WRITING WITHIN FIFTY (50) DAYS FROM THE DATE OF THIS NOTICE AT THE FOLLOWING ADDRESS: (INSERT ADDRESS).";

(5) A conspicuous statement as follows: "NOTICE TO TAXPAYER: IF YOU DO NOT OBTAIN A TAX COMPLIANCE LETTER OR SEEK REVIEW UNDER SECTION 143.778, RSMo, YOUR LICENSE SHALL BE SUSPENDED BY OPERATION OF LAW EFFECTIVE THE DATE OF SUSPENSION CITED IN THIS NOTICE.".

3. A tax compliance letter shall be issued by the director to the taxpayer if the taxpayer:

(1) Files any delinquent state tax return and pays the entire amount of delinquent state taxes, interest, and additions due; or

(2) Enters into and complies with a payment plan. If the taxpayer fails to comply with the terms of a payment plan, the director may issue a notice informing the taxpayer that the license shall be suspended by operation of law as of the date of the notice.

4. The notice required under subsection 1 of this section shall be sent to the last known address supplied to the director unless no such address has been provided, whereupon the notice shall be sent to the last known address supplied to the licensing authority.

5. The notice shall apply only to the license that is the subject of the transmission of data from the licensing authority to the director under section 143.779.

6. Within thirty days of the date of the notice required under subsection 1 of this section, the licensing authority shall send a letter to the taxpayer indicating that the license is subject to automatic suspension by operation of law as of the date provided in the notice required under subsection 1 of this section, unless the taxpayer provides the licensing authority a copy of a tax compliance letter by the date provided in the notice required under subsection 1 of this section.

143.778. 1. Within fifty days of the date of the notice, the taxpayer may file with the director at the address provided in the notice, a written request for review of the notice required under subsection 1 of section 143.777, stating the grounds upon which the taxpayer claims the notice was not proper.

2. Upon timely receipt of a request for review from a taxpayer, the director shall review the notice and mail the director's determination to the taxpayer by certified or registered mail within thirty days of receipt of the request. Such determination shall set forth briefly the director's findings of fact, and the basis of the decision and information regarding the taxpayer's right to appeal.

3. The issues that may be determined in a review under this section shall be limited to:

(1) The identity of the taxpayer;

(2) Whether the director has properly applied any credits or payments by the taxpayer; and

(3) Whether the director sent the notice to the proper address under subsection 4 of section 143.777.

4. The determination of the director, after a review under this section, shall be a final agency decision and shall be subject to appeal to the administrative hearing commission under chapter 621, RSMo.

5. A taxpayer shall appeal under chapter 621, RSMo, by filing a petition within thirty days of the date of the director's determination.

6. Suspension of a taxpayer's license shall be automatically stayed pending the appeal under chapter 621, RSMo.

7. A determination made by the director under this section is independent of any action imposed by the licensing authority.

143.779. 1. All state licensing authorities subject to sections 143.775 to 143.779 shall provide specified information, in a format agreed upon by the director and the licensing authorities, to the director within thirty

days following the date of the receipt of an application for licensure or at least thirty days after the required renewal date of a licensee's license. Such information shall include, but is not limited to, the following:

- (1) Name;
- (2) Address of record;
- (3) Social Security number;
- (4) Type of license.

2. For licensees who are not residents of this state, the licensing authority shall include in the application and renewal forms a method allowing the nonresident licensee to indicate that they received no Missouri source income within the applicable three-year period. The licensing authority shall transmit this information to the director in a mutually agreed upon manner.

3. The director shall promulgate rules necessary for the administration of sections 143.775 to 143.779. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void."; and

Further amend said bill, Page 80, Section 571.030, Line 101, by inserting after all of said line the following:

"620.1900. 1. As used in this section the term "licensing authority" shall mean any department, division, board, agency, or instrumentality of this state that issues a license under sections 209.319 to 209.339, RSMo, sections 256.010 to 256.453, RSMo, section 375.014, RSMo, and chapters 324 to 340, RSMo, and chapters 344 to 346, RSMo. Any board or commission assigned to the division of professional registration after the effective date of this section shall be included in the definition of a licensing authority.

2. With regard to any licensee who has been issued a notice under section 143.777, RSMo, the licensing authority shall enter a suspension of the applicable license on the effective date set out in the notice, unless the licensee has presented a tax compliance letter, or has timely filed for review in the administrative hearing commission as provided under section 143.778, RSMo.

3. The suspension shall be processed by the licensing authority without any additional review or hearing by such licensing authority.

4. The suspension shall continue until a tax compliance letter is issued by the director of the department of revenue.

5. If a license is suspended under sections 143.775 to 143.779, RSMo, any funds paid by the licensee to the licensing authority for costs related to issuance, renewal or maintenance of a license shall not be refunded to the licensee.

6. During any period of suspension imposed under sections 143.775 to 143.779, RSMo, the licensee shall continue to pay all license or license renewal fees and obtain all continuing education hours as required by the licensing authority's statutes and regulations.

7. A licensee who continues to engage in the business, occupation, profession or other licensed activity while the license is suspended under sections 143.775 to 143.779, RSMo, is guilty of a class A misdemeanor. The licensing authority may refer the licensee to the appropriate prosecuting or circuit attorney or the attorney general for prosecution under this section, in addition to any other remedy provided by law for engaging in a licensed activity without a license or while a license is suspended.

8. The licensing authority shall be exempt from liability to the licensee for activities conducted under sections 143.775 to 143.779, RSMo, or this section.

9. The licensing authority shall not modify, remand, reverse, vacate or stay a suspension; except that, if the director of revenue certifies that an error has been made by the department or if an error is made by the licensing authority, the licensing authority may expunge the suspension from the licensee's permanent record."; and

Further amend said bill, Page 82, Section 1, Line 21, by inserting after all of said line the following:

"[324.010. All governmental entities issuing professional licenses, certificates, registrations, or permits pursuant to sections 209.319 to 209.339, RSMo, sections 214.270 to 214.516, RSMo,

sections 256.010 to 256.453, RSMo, section 375.014, RSMo, sections 436.005 to 436.071, RSMo, and chapter 317, RSMo, and chapters 324 to 346, RSMo, shall provide the director of revenue with the name and Social Security number of each applicant for licensure with or licensee of such entities within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any state taxes or has failed to file state income tax returns in the last three years, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the professional license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 5** was adopted.

Representative Tilley offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 665, Page 72, Section 337.736, Line 16 of said section, by inserting after said line the following:

"338.380. 1. As used in this section the term "committee" means the well-being committee established under subsection 2 of this section.

2. The board may establish an impaired licensee committee, to be designated as the "Well-being Committee", to promote the early identification, intervention, treatment and rehabilitation of licensees identified within this chapter, who may be impaired by reasons of illness, substance abuse, or as a result of any physical or mental condition. The board may enter into a contractual agreement with a nonprofit corporation or an association for the purpose of creating, supporting and maintaining such a committee. The board may promulgate rules subject to the provisions of this section to effectuate and implement any committee formed under this section. The board may expend appropriated funds necessary to provide for operational expenses of the committee formed under this section. Any member of the committee, as well as any administrator, staff member, consultant, agent or employee of the committee, acting within the scope of his or her duties and without actual malice and, all other persons who furnish information to the committee in good faith and without actual malice, shall not be liable for any claim of damages as a result of any statement, decision, opinion, investigation or action taken by the committee or by any individual member of the committee.

3. All information, interviews, reports, statements, memoranda or other documents furnished to or produced by the committee, as well as communications to or from the committee, any findings, conclusions, interventions, treatment, rehabilitation, or other proceedings of the committee which in any way pertain to a licensee who may be, or who actually is, impaired shall be absolutely privileged and confidential.

4. All records and proceedings of the committee which pertain or refer to a licensee who may be, or who actually is, impaired shall be privileged and confidential and shall be used by the committee and its members only in the exercise of the proper function of the committee and shall not be considered public records under chapter 610, RSMo, and shall not be subject to court subpoena or subject to discovery or introduction as evidence in any civil, criminal, or administrative proceedings except as provided in subsection 5 of this section.

5. The committee may disclose information relative to an impaired licensee only when:

- (1) It is essential to disclose the information to further the intervention, treatment, or rehabilitation needs of the impaired licensee and only to those persons or organization with a need to know;**
- (2) Its release is authorized in writing by the impaired licensee;**
- (3) The committee is required to make a report to the board.**

6. In lieu of the pursuing discipline against a licensee for violating one or more causes stated in subsection 2 of section 338.055, the board may enter into a diversion agreement with a licensee to refer the licensee to the committee under such terms and conditions as are agreed to by the board and licensee. The board shall enter into no more than two diversion agreements with any individual licensee. If the licensee violates a term or condition of a diversion agreement entered into under this section, the board may elect to pursue discipline against the licensee under chapter 621, RSMo, for the original conduct that resulted in the diversion agreement, or for any subsequent violation of subsection 2 of section 338.055. While the licensee participates in the committee, the time limitations of section 620.154, RSMo, shall toll under subsection 7 of section 620.154, RSMo. All records pertaining to diversion agreements are confidential and may only be released under subdivision (7) of subsection 14 of section 620.010, RSMo.

7. The committee shall report to the board the name of any licensee who fails to enter treatment within forty-eight hours following the provider's determination that the pharmacist needs treatment or any failure by a licensee to comply with the terms of a treatment contract during inpatient or outpatient treatment or aftercare or report a licensee who resumes the practice of pharmacy before the treatment provider has made a clear determination that the pharmacist is capable of practicing according to acceptable and prevailing standards.

8. The board may disclose information and records to the committee to assist the committee in the identification, intervention, treatment, and rehabilitation of any licensee who may be impaired by reason of illness, substance abuse, or as the result of any physical or mental condition. The committee shall keep all information and records provided by the board confidential to the extent the board is required to treat the information and records as closed to the public under chapter 620, RSMo.

9. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Tilley, **House Amendment No. 6** was adopted.

Representative Sater offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 665, Page 72, Line 16, by inserting immediately after said line the following:

“338.095. 1. The terms "prescription" and "prescription drug order" are hereby defined as a lawful order for medications or devices issued and signed by an authorized prescriber within the scope of his professional practice which is to be dispensed or administered by a pharmacist or dispensed or administered pursuant to section 334.104, RSMo, to and for the ultimate user. The terms "prescription" and "drug order" do not include an order for medication which is provided for the immediate administration to the ultimate user or recipient.

2. The term "telephone prescription" is defined as an order for medications or devices transmitted to a pharmacist by telephone or similar electronic medium by an authorized prescriber or his authorized agent acting in the course of his professional practice which is to be dispensed or administered by a pharmacist or dispensed or administered pursuant to section 334.104, RSMo, to and for the ultimate user. A telephone prescription shall be promptly reduced to written or electronic medium by the pharmacist and shall comply with all laws governing prescriptions and record keeping.

3. A licensed pharmacist may lawfully provide prescription or medical information to a licensed health care provider or his agent who is legally qualified to administer medications and treatments and who is involved in the treatment of the patient. The information may be derived by direct contact with the prescriber or through a written protocol approved by the prescriber. Such information shall authorize the provider to administer appropriate medications and treatments.

4. Nothing in this section shall be construed to limit the authority of other licensed health care providers to prescribe, administer, or dispense medications and treatments within the scope of their professional practice.

5. It is unlawful for any person other than the patient or the patient's authorized representative to accept a prescription presented to be dispensed unless that person is located on a premises licensed by the board as a pharmacy. A violation of this subsection shall be a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schaaf offered **House Amendment No. 1 to House Amendment No. 7.**

*House Amendment No. 1
to
House Amendment No. 7*

AMEND House Amendment No. 7 to House Committee Substitute for House Bill No. 665, Page 2, Line 8, by inserting at the end of said line the following:

“of a dispensing physician or”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Sater, **House Amendment No. 7, as amended**, was adopted.

Representative Dusenberg offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 665, Page 2, Section A, Line 21, by inserting immediately after said line the following:

“71.620. 1. Hereafter no person following for a livelihood the profession or calling of minister of the gospel, duly accredited Christian Science practitioner, teacher, professor in a college, priest, lawyer, certified public accountant, **veterinarian**, dentist, chiropractor, optometrist, chiropodist, physician or surgeon in this state shall be taxed or made liable to pay any municipal or other corporation tax or license fee of any description whatever for the privilege of following or carrying on such profession or calling, and, after December 31, 2003, no investment funds service corporation, as defined in section 143.451, RSMo, may be required to pay, or shall be taxed or made liable to pay any municipal or other corporation tax or license fee of any description whatever for the privilege of following or carrying on its business or occupation, in excess of or in an aggregate amount exceeding twenty-five thousand dollars annually, any law, ordinance or charter to the contrary notwithstanding.

2. No person following for a livelihood the profession of insurance agent or broker, veterinarian, architect, professional engineer, land surveyor, auctioneer, or real estate broker or salesman in this state shall be taxed or made liable to pay any municipal or other corporation tax or license fee for the privilege of following or carrying on his or her profession by a municipality unless that person maintains a business office within that municipality.

3. Notwithstanding any other provision of law to the contrary, after September 1, 2004, no village with less than one thousand three hundred inhabitants shall impose a business license tax in excess of fifteen thousand dollars per license.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dusenberg, **House Amendment No. 8** was adopted.

Representative Schaaf offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 665, Page 39, Section 334.1009, Line 2, by deleting the word "**eleven**" and inserting in lieu thereof the word "**twelve**"; and

Further amend said bill, Page 39, Section 334.1009, Line 4, by deleting the word "**eleven**" and inserting in lieu thereof the word "**twelve**"; and

Further amend said bill, Page 39, Section 334.1009, Line 5, by deleting the word "**two**" and inserting in lieu thereof the word "**three**"; and

Further amend said bill, Page 39, Section 334.1009, Line 5, by inserting after the word "**radiologists**," the phrase "**one of which shall be a chiropractic radiologist**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Schaaf moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 053

Aull	Avery	Bivins	Bruns	Byrd
Cooper 155	Cooper 158	Cunningham 86	Darrough	Davis
Faith	Flook	Franz	Guest	Henke
Hobbs	Jackson	Johnson 61	Jolly	Jones
Kingery	Kraus	Lembke	LeVota	Lipke
Muschany	Nance	Nolte	Parson	Pollock
Portwood	Pratt	Rupp	Salva	Schaaf
Schad	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	St. Onge	Threlkeld	Tilley	Viebrock
Wallace	Walsh	Whorton	Wildberger	Wilson 130
Wright 137	Yates	Zweifel		

NOES: 096

Baker 25	Bearden	Behnen	Black	Bland
Bowman	Bringer	Brown 30	Burnett	Casey
Chinn	Chappelle-Nadal	Cooper 120	Corcoran	Cunningham 145
Curls	Daus	Day	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Fares	Fisher
Fraser	George	Goodman	Harris 23	Harris 110
Haywood	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson 90	Kratky	Kuessner	Lager
Lampe	Liese	Loehner	Low 39	Lowe 44
May	Meadows	Meiners	Moore	Munzlinger
Myers	Nieves	Oxford	Page	Parker
Pearce	Phillips	Quinn	Rector	Richard
Roark	Robb	Robinson	Rucker	Ruestman
Sander	Sater	Schlottach	Schoemehl	Selby
Self	Shoemyer	Spreng	Stevenson	Storch
Sutherland	Villa	Vogt	Wagner	Walton

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Wasson	Wells	Weter	Wilson 119	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Young
Mr Speaker				

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 012

Baker 123	Bean	Boykins	Brown 50	Deeken
Johnson 47	Kelly	Marsh	McGhee	Roorda
Schneider	Swinger			

VACANCIES: 001

On motion of Representative Behnen, **HCS HB 665, as amended**, was adopted.

On motion of Representative Behnen, **HCS HB 665, as amended**, was ordered perfected and printed.

HCS HB 697, with House Amendment No. 2, pending, relating to motor vehicle emissions, was taken up by Representative Lembke.

On motion of Representative Hobbs, **House Amendment No. 2** was adopted.

Representative Darrough offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 697, Page 4, Section 307.366, Line 99, by inserting prior to the word “mechanic” the word “Certified”; and

Further amend said bill, Page 9, Line 28, Section 643.335, by inserting prior to the word “mechanic” the word “Certified”.

Representative Darrough moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Lembke, **HCS HB 697, as amended**, was adopted.

On motion of Representative Lembke, **HCS HB 697, as amended**, was ordered perfected and printed.

HCS HB 474, relating to insurer intervention in civil actions, was taken up by Representative Yates.

Representative Burnett offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 474, Page 1, Section 506.400, Line 3, by deleting the words “**intervene in such action and request the court**” and inserting in lieu thereof the words “**file an action for a declaratory judgement**”; and

Further amend said page and section, Lines 5 through 8, by deleting all of said lines; and

Further amend said bill by renumbering the subsections; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Cooper 158	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Flook	Fraser
George	Goodman	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Rucker
Salva	Sander	Schaaf	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zweifel				

NOES: 087

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Guest	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke
Loehner	May	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sater	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Boykins	Harris 23	Marsh	McGhee
Myers	Parker	Roorda	Young	

VACANCIES: 001

On motion of Representative Yates, **HCS HB 474** was adopted.

On motion of Representative Yates, **HCS HB 474** was ordered perfected and printed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HCS HBs 500 & 533, relating to the transfer of employer accounts, was taken up by Representative Faith.

Representative Faith offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 500 & 533, Page 3, Section 288.110, Line 87, by inserting after all of said line the following:

"Section B. Section A of this act shall become effective on January 1, 2006."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Faith, **House Amendment No. 1** was adopted.

On motion of Representative Faith, **HCS HBs 500 & 533, as amended**, was adopted.

On motion of Representative Faith, **HCS HBs 500 & 533, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILLS

HCS SB 189, relating to a health care provider tax, was taken up by Representative Icet.

Representative Cooper (120) assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Witte requested a division of the question on **HCS SB 189**.

On motion of Representative Icet, **Part I of HCS SB 189** was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Bruns	Byrd	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Young	Zweifel
Mr Speaker				

NOES: 003

Brown 50	Rucker	Wildberger
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PRESENT: 008

Brooks	Brown 30	Burnett	Casey	Hughes
Roorda	Skaggs	Yates		

ABSENT WITH LEAVE: 005

Bean	Bowman	Corcoran	Marsh	Wagner
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VACANCIES: 001

On motion of Representative Icet, **Part II of HCS SB 189** was adopted by the following vote:

AYES: 133

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bruns	Byrd	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Hobbs	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yaeger	Mr Speaker		

NOES: 009

Bringer	Brown 50	Darrough	LeVota	Liese
Skaggs	Wagner	Wildberger	Witte	

PRESENT: 014

Brooks	Brown 30	Burnett	Casey	Davis
Harris 23	Haywood	Henke	Johnson 90	Meadows
Roorda	Spreng	Yates	Zweifel	

ABSENT WITH LEAVE: 006

Bean	Hoskins	Marsh	Vogt	Wright-Jones
Young				

VACANCIES: 001

On motion of Representative Icet, **Part III of HCS SB 189** was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
George	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 005

Brooks	Brown 30	Davis	Fraser	Haywood
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ABSENT WITH LEAVE: 002

Bean	Marsh
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VACANCIES: 001

On motion of Representative Icet, **HCS SB 189** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bruns	Burnett	Byrd	Chinn
Chappelle-Nadal	Cooper 120	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Haywood	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 010

Bringer	Brown 50	Darrough	Harris 23	Harris 110
Henke	Lampe	LeVota	Page	Wildberger

PRESENT: 005

Brooks	Brown 30	Casey	Meadows	Roorda
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ABSENT WITH LEAVE: 004

Bean	Cooper 155	Marsh	Wagner
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Avery	Baker 25	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Boykins
Bruns	Burnett	Byrd	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Haywood	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Parker	Parson	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 013

Aull	Bringer	Brown 50	Darrough	Harris 23
Harris 110	Henke	Johnson 61	Lampe	LeVota
Page	Skaggs	Wildberger		

PRESENT: 005

Brooks	Brown 30	Casey	Johnson 90	Roorda
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ABSENT WITH LEAVE: 003

Bean	Marsh	Pearce
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VACANCIES: 001

HCS SCS SBs 10 & 27, relating to controlled substances, was taken up by Representative Lipke.

On motion of Representative Lipke, **HCS SCS SBs 10 & 27** was adopted.

On motion of Representative Lipke, **HCS SCS SBs 10 & 27** was read the third time and passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Iceet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean Chappelle-Nadal Marsh

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Chappelle-Nadal	Cooper 120	Marsh
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VACANCIES: 001

HCS SCS SB 252, relating to military facilities, was taken up by Representative Pearce.

Representative Pearce offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 252, Section 41.1016, Page 4, Line 2, by deleting the words “**their primary or secondary**”; and

Further amend said page, Line 3, by deleting the words “**age children**”; and

Further amend said line, by inserting immediately after the word “**their**” the word “**unemancipated**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pearce, **House Amendment No. 1** was adopted.

Representative Avery offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 252, Section 41.1016, Page 4, Line 5, by inserting after all of said line the following:

“143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer's federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer's federal adjusted gross income:

(a) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(b) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (a) of subsection 3 of this section. The amount added pursuant to this paragraph shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(c) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002; and

(d) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal income taxes but disallowed against Missouri income taxes pursuant to this paragraph since July 1, 2002, may be carried forward and taken against any loss on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(a) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this paragraph shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this paragraph. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(b) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(c) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a

taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(d) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(e) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(f) The portion of capital gain specified in section 135.357, RSMo, that would otherwise be included in federal adjusted gross income; [and]

(g) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002; **and**

(h) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which armed forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone.

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Avery, **House Amendment No. 2** was adopted by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Iceet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf

Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Cooper 155	Marsh
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VACANCIES: 001

Representative Darrough offered **House Amendment No. 3**.

Representative Goodman raised a point of order that **House Amendment No. 3** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

On motion of Representative Pearce, **HCS SCS SB 252, as amended**, was adopted.

On motion of Representative Pearce, **HCS SCS SB 252, as amended**, was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb

Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Bruns	Johnson 47	Marsh	Schneider
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter

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Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Marsh	Schneider
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VACANCIES: 001

THIRD READING OF SENATE BILLS - CONSENT

HCS SCS SBs 103 & 115, relating to pupil residency waivers, was taken up by Representative Yates.

On motion of Representative Yates, **HCS SCS SBs 103 & 115** was read the third time and passed by the following vote:

AYES: 136

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 023

Bowman	Boykins	Chappelle-Nadal	Daus	Donnelly
El-Amin	Fraser	Haywood	Hoskins	Hubbard
Johnson 61	Low 39	Oxford	Rucker	Shoemyer
St. Onge	Storch	Vogt	Walsh	Walton
Whorton	Wildberger	Wright-Jones		

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Marsh	Schneider
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SB 131, relating to domestic insurer investments, was taken up by Representative Yates.

On motion of Representative Yates, **SB 131** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger

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Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 004

Chappelle-Nadal	Donnelly	Whorton	Wright-Jones
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PRESENT: 003

Brooks	El-Amin	Johnson 61
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ABSENT WITH LEAVE: 004

Bean	Marsh	Schneider	Schoemehl
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SCS SB 133, relating to the cafeteria plan for state employees, was taken up by Representative Yates.

On motion of Representative Yates, **SCS SB 133** was truly agreed to and finally passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace

Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 001

El-Amin

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean Marsh

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton assumed the Chair.

SB 149, relating to state personnel law, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **SB 149** was truly agreed to and finally passed by the following vote:

AYES: 117

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Harris 23	Hobbs	Hubbard	Hunter
Icet	Jackson	Johnson 47	Jolly	Jones
Kelly	Kingery	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Self	Silvey
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Young	Mr Speaker			

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NOES: 042

Baker 25	Bland	Bowman	Boykins	Bringer
Brooks	Casey	Chappelle-Nadal	Corcoran	Curls
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 110	Haywood	Henke	Hoskins
Hughes	Johnson 61	Johnson 90	Kratky	Low 39
Lowe 44	Meadows	Meiners	Oxford	Robinson
Roorda	Rucker	Selby	Shoemyer	Skaggs
Storch	Swinger	Whorton	Witte	Wright-Jones
Yaeger	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Marsh	Walton
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VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 156, relating to port authorities, was taken up by Representative Richard.

On motion of Representative Richard, **SB 156** was truly agreed to and finally passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley

Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean Hunter Marsh

VACANCIES: 001

Speaker Jetton declared the bill passed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 15 - Budget

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SB 179** (Fiscal Note), begs leave to report it has **been furnished an updated fiscal note and does not require fiscal review**.

Committee on Budget, Chairman Lager reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 18**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 842** and **HB 831**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SS SB 343**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1**, entitled:

An act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, the several divisions and programs thereof, and the Office of Administration to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 3**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein, and the Office of Administration to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 3, Page 1, Section 3.005, Line 8, by inserting after said line the following:

"From Federal Funds and Other Funds (Not to exceed 6.08 F.T.E.)	\$1E
Total	\$695,134"; and

Amend bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, the several divisions and programs thereof, and the Office of Administration, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 6**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the Office of Administration, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2005 and ending June 30, 2006.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 7**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Department of Labor and Industrial Relations, and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 8, Section 7.105, Line 7, by deleting the number "\$29,628" and inserting in lieu thereof the number "\$50,000"; and

Amend bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 8**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, the several divisions and programs thereof, and the Office of Administration, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 8, Page 10, Section 8.130, Line 12, by inserting immediately after the word "Fund" the following "or General Revenue Fund".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 9**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005 and ending June 30, 2006.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

April 25, 2005

Stephen S. Davis, Chief Clerk
Missouri House of Representatives
Room 306B, Capitol Building
Jefferson City, MO 65101

Dear Mr. Davis:

We, the undersigned, comprising more than one-third of the membership of the Missouri House of Representatives request, pursuant to Article III, Section 22, of the Constitution of the State of Missouri and Rule 34 of the Rules of this House, that the Senior Citizens Advocacy Committee (Representative Mark Bruns, Chair) be relieved of **HCR 14** pertaining to privatization of the Social Security program and that said resolution be placed upon the House Calendar as provided by Rule 34 of the House.

/s/ Clint Zweifel (78)
/s/ Paul LeVota (52)
/s/ Wes Wagner (104)
/s/ Wayne Henke (11)
/s/ Michael Spreng (76)
/s/ Trent Skaggs (31)
/s/ Judy Baker (25)
/s/ Jeff Roorda (102)
/s/ Ed Wildberger (27)
/s/ Rachel Bringer (6)
/s/ Terry Swinger (162)
/s/ Terry L. Witte (10)
/s/ John Burnett (40)
/s/ Rick Johnson (90)
/s/ Harold R. Selby (105)
/s/ Connie Johnson (61)
/s/ Sam Page (82)
/s/ Maria Chappelle-Nadal (72)
/s/ Rachel Storch (64)
/s/ Jeff Harris (23)
/s/ Al Liese (79)
/s/ Belinda Harris (110)
/s/ Leonard "Jonas" Hughes, IV (42)
/s/ Jim Whorton (3)
/s/ Robin Jones (63)
/s/ Kate Meiners (46)
/s/ Martin T. Rucker (29)
/s/ Margaret Donnelly (73)
/s/ John L. Bowman (70)

/s/ Tim Meadows (101)
/s/ Jeanette Mott Oxford (59)
/s/ R. W. Casey (103)
/s/ Bruce Darrough (75)
/s/ Michael Brown (50)
/s/ Michael G. Corcoran (77)
/s/ Joe Aull (26)
/s/ Sara Lampe (138)
/s/ Patricia M. Yaeger (96)
/s/ J.C. Kuessner (152)
/s/ Melba J. Curls (41)
/s/ Jenee Lowe (44)
/s/ Ray Salva (51)
/s/ Barbara Fraser (83)
/s/ Beth Low (39)
/s/ Sue Schoemehl (100)
/s/ Theodore Hoskins (80)
/s/ Rodney R. Hubbard (58)
/s/ Terry Young (49)
/s/ Fred Kratky (65)
/s/ Yaphett El-Amin (57)
/s/ Juanita Walton (81)
/s/ Curt Dougherty (53)
/s/ Brad Robinson (107)
/s/ Gina Walsh (69)
/s/ Sharon Sanders Brooks (37)
/s/ Amber Boykins (60)
/s/ Wes Shoemyer (9)
/s/ Esther Haywood (71)

HOUSE CONCURRENT RESOLUTION NO. 14

WHEREAS, the State of Missouri recognizes that over 1,033,886 residents of all ages in this state receive guaranteed Social Security benefits which allow them to live without sinking into poverty or suffering from a diminished quality of life because of retirement, disability, or the death of a parent or spouse; and

WHEREAS, Social Security protects Missourians by providing guaranteed benefits not only for retirees, but also for 184,858 disabled workers and their families, as well as for almost 90,000 children in our state; and

WHEREAS, Social Security is particularly critical to the 420,699 Missouri women who receive benefits since women typically live longer, earn less money, and generally spend less time in the labor force due to child care responsibilities; and

WHEREAS, Social Security is a progressive program that continues to pay guaranteed benefits for the duration of the recipients' lifetimes, that is indexed for inflation, that functions with extreme efficiency, and that currently operates with a surplus; and

WHEREAS, the nonpartisan Congressional Budget Office (CBO) predicts that there will be no shortfall until 2052, when Social Security will be able to pay only 80% of recipients' benefits due to insufficient revenue from payroll tax; and

WHEREAS, in the past, the Social Security Trust Fund has encountered similar challenges, including larger projected shortfalls during the 1980's, which were resolved without privatization schemes and without reducing guaranteed benefits for the elderly, disabled, and children; and

WHEREAS, future Social Security recipients would also pay a much higher cost for private accounts than for the guaranteed benefits current recipients receive since the current system spends just 0.6 cents of every dollar on administrative costs while a private accounts system would waste at least 5 cents of every dollar; and

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-third General Assembly, First Regular Session, the Senate concurring therein, hereby call upon the Missouri Congressional Delegation to recognize the unique features of Social Security: guaranteed benefits, protection from market fluctuations, inflation indexing, lifelong protection in case of disability, death of a spouse or parent, and insufficient retirement income, progressive benefits that are linked to earnings and that cannot lose value over the recipient's lifetime; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for President George W. Bush, the members of the Missouri Congressional Delegation, and Governor Matt Blunt.

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, April 27, 2005.

I, State Representative Terry Young, District 49, hereby state and affirm that my vote as recorded on the motion to adopt Part II to the House Committee Substitute for Senate Bill No. 189 in the House Journal for April 26, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

/s/ Terry Young
State Representative

State of Missouri)
County of Cole) ss.
)

Subscribed and sworn to before me this 26th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Robin Wright-Jones, District 63, hereby state and affirm that my vote as recorded on the motion to adopt Part II to the House Committee Substitute for Senate Bill No. 189 in the House Journal for April 26, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 26th day of April 2005.

/s/ Robin Wright-Jones
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 26th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

BUDGET

Wednesday, April 27, 2005, 12:00 p.m. Hearing Room 3.
Executive session.
Public hearing to be held on: HB 15

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 28, 2005, 9:30 a.m. Hearing Room 5.
Executive session may follow.
Public hearing to be held on: SB 194

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 27, 2005, 8:00 a.m. Hearing Room 3.
Guest presentation. No Executive session.

FISCAL REVIEW

Wednesday, April 27, 2005, 9:00 a.m. Hearing Room 4.
Executive session.
Any bills or matters referred to the Fiscal Review Committee. AMENDED

FISCAL REVIEW

Thursday, April 28, 2005, 9:00 a.m. Hearing Room 4.
Executive session.
Any bills or matters referred to the Fiscal Review Committee.

HEALTH CARE POLICY

Wednesday, April 27, 2005, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: SS SCS SBs 74 & 49

RULES

Wednesday, April 27, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HCS HB 660, HCS HB 549, HCS HB 430, HCS HB 490, HB 875, HCR 33, HCR 22, HCR 28, HCS SCS SB 319, HCS SB 405, HCS SB 192, SB 358, HCS SS SCS SB 462, HCS SS SB 95, HCS SB 99, HCS SS SCS SB 269, SB 380, SB 361, SCS SBs 23 & 51, HCS SCS SB 262, HCS SCS SB 355, SB 141, HCS SB 173, SB 431, HCS#2 SB 123, HCS SS#2 SCS SB 225, HCS SS SCS SB 168, HCS SB 187, HCS#2 SB 165

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, April 27, 2005, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearing to be held on: SCS SB 500

SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 2, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 911, SCS SCR 6, SCS SCR 8

TRANSPORTATION

Wednesday, April 27, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 851, HB 766, HB 769, HB 833

WAYS AND MEANS

Thursday, April 28, 2005, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearing to be held on: SCS SB 196

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 27, 2005, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 876, HB 878

HOUSE CALENDAR

SIXTY-FOURTH DAY, WEDNESDAY, APRIL 27, 2005

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 560 - Wright (137)
- 6 HCS HB 853 - Loehner
- 7 HB 291, as amended - Cooper (155)
- 8 HCS HB 272 - Pratt
- 9 HB 721 - Flook
- 10 HCS HB 671 - Sutherland
- 11 HCS HB 804 - Smith (118)
- 12 HB 679 - Kraus
- 13 HCS HB 192 - Sander
- 14 HCS HB 742 - Bearden
- 15 HCS HB 854 - Richard
- 16 HCS HB 924 - Wallace
- 17 HCS HB 972 - Jetton
- 18 HB 952 - Icet
- 19 HCS HB 231 - Portwood
- 20 HCS#2 HB 586 - Sander
- 21 HCS HB 591, 210, 377, 760 & 777 - Schlottach
- 22 HB 784 - Meadows
- 23 HB 880 - Hughes
- 24 HB 633 - Lipke
- 25 HB 789 - Salva

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 3 HCS HB 400 - Yates
- 4 HCS HB 649 - Fares
- 5 HCS HB 91 - Johnson (47)

- 6 HCS HB 665 - Behnen
- 7 HCS HB 697 - Lembke
- 8 HCS HB 474 - Yates

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE JOINT RESOLUTION FOR THIRD READING

SS SJR 1 - Chinn

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 178 - Schaaf
- 2 SB 211 - Cooper (120)
- 3 SCS SB 222 - Sutherland
- 4 HCS SCS SB 246 - Villa
- 5 SB 259 - Baker (123)
- 6 SB 261 - Yates
- 7 SCS SB 266 - Fares
- 8 SCS SB 267 - Jackson
- 9 SB 279 - Wasson
- 10 SCS SB 289 - Tilley
- 11 SB 298 - Wright-Jones
- 12 SB 299 - Wright-Jones
- 13 SCS SB 302 - Cunningham (86)
- 14 SB 306 - Dethrow
- 15 HCS SB 307 - Kuessner
- 16 SB 318 - Cooper (120)
- 17 SB 347 - Cooper (155)
- 18 SB 394 - Pearce
- 19 SCS SB 407 - Lipke
- 20 SB 453 - St. Onge
- 21 SB 480 - Kraus
- 22 HCS SB 490 - Pearce
- 23 SCS SB 501 - Stefanick
- 24 SB 507 - Baker (25)
- 25 SB 516 - Richard

26 SB 518 - Cooper (155)
27 SCS SB 6 - Lager
28 HCS SB 38 - Ruestman
29 SB 122 - Wright (137)
30 SB 162 - Cooper (155)
31 HCS SB 174, E.C. - Bruns
32 HCS SB 177 - Behnen
33 HCS SCS SB 182 - Rector
34 SB 209 - Pearce
35 HCS SB 216 - Goodman
36 SCS SB 227 - Kuessner
37 HCS SCS SB 238 - Faith
38 SCS SB 247 - Bruns
39 SB 265 - Wood
40 SB 288 - Lager
41 SB 304 - Ervin
42 HCS SB 308 - Pollock
43 SB 317 - Smith
44 SCS SB 354 - Schlottach
45 SB 357 - Johnson (47)
46 HCS SB 364, E.C. - Franz
47 HCS SCS SB 372 - Kuessner
48 SCS SB 374 - Zweifel
49 SB 396 - Sutherland
50 HCS SB 401 - Lembke
51 SB 418 - Lipke
52 HCS SB 422 - Yates
53 HCS SCS SB 423 - Lipke
54 HCS SCS SB 450, E.C. - Portwood
55 SCS SB 496 - Kelly
56 SCS SB 502, E.C. - Portwood
57 SB 521, HCA1 - Cooper (158)

SENATE BILLS FOR THIRD READING

1 HCS SCS SB 70 - Richard
2 SCS SB 73 - Weter
3 SCS SB 258 - Baker (123)
4 SB 367 - Deeken
5 SB 378 - Boykins
6 SCS SB 390 - Pratt
7 SB 488, HCA 1 - Robinson
8 SCS SB 170, E.C. - Byrd
9 SS SCS SB 179 - Rector
10 SB 280 - Wasson
11 SB 286 - Kingery
12 SB 323 - Cooper (155)

- 13 SB 479 - May
- 14 SB 526 - Cunningham (145)
- 15 SB 180 - Cooper (158)
- 16 HCS SS SCS SB 237 - Rector
- 17 HCS SCS SB 260 - Baker (123)
- 18 SB 268 - Byrd
- 19 SB 274 - Richard
- 20 SS SCS SB 346 - Ruestman
- 21 HCS SS SCS SB 210 - Johnson (47)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)
- 4 SCS HB 1 - Lager
- 5 SCS HCS HB 2 - Lager
- 6 SCS HCS HB 3, as amended - Lager
- 7 SCS HCS HB 4 - Lager
- 8 SCS HCS HB 5 - Lager
- 9 SCS HCS HB 6 - Lager
- 10 SCS HCS HB 7, as amended - Lager
- 11 SCS HCS HB 8, as amended - Lager
- 12 SCS HCS HB 9 - Lager

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 23, (4-13-05, Pages 1033-1034) - Sutherland

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HCR 14, (4-26-05) - Zweifel

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-FOURTH DAY, WEDNESDAY, APRIL 27, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, we can not adequately speak of Your greatness and love. You have looked deep into our hearts, and You know all about us. You know when we are resting or when we are working, and from Heaven You know our thoughts. You notice everything we do and everywhere we go. Before we even speak a word, You know what we will say, and with Your powerful arm You protect us from harm. We can't understand all of this! Such wonderful knowledge is far above us.

So with this knowledge of You, we pray that our hearts would overflow with good thoughts; our words be articulate and well thought out; respectful not vicious. May the weariness of our minds and bodies not influence our viewpoint nor distort our focus.

We understand that our lives, for the most part, are shaped by our choices, but I don't forget what You have revealed: That our times are in Your hands.

Help us to take moments out of our busy day, to acknowledge You and give thanks for the simple things in life.

We ask these things of You, in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Whitney Tiberghien, Antonyse Willis, Chazmine English, Cecil Keyes, Quan Corbin-Jackson, Landon Franz, Lauren Franz, Kelsey Terry, Emily McQuillen, Lanu Atatai, Brandon Demoret, Scott Joolly, Eddie Napier, Brandon Parker, Grace Dixon and Sarah Osseck.

The Journal of the sixty-third day was approved as corrected.

SPECIAL RECOGNITION

Ronald Antoine Seawright, Jr. of St. Louis was introduced by Representative El-Amin and recognized as an Outstanding Missourian.

Speaker Pro Tem Bearden assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2601 - Representative Quinn
House Resolution No. 2602 - Representatives Quinn and Whorton
House Resolution No. 2603
through
House Resolution No. 2606 - Representative LeVota
House Resolution No. 2607 - Representative Bowman
House Resolution No. 2608 - Representative Goodman
House Resolution No. 2609 - Representative Guest
House Resolution No. 2610
through
House Resolution No. 2615 - Representative Day
House Resolution No. 2616 - Representative Marsh
House Resolution No. 2617 - Representative Whorton

PERFECTION OF HOUSE BILLS

HCS HB 560, relating to excursion gambling boat licenses, was taken up by Representative Wright (137).

Representative Salva offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 560, Section 313.812, Pages 5 and 6, Lines 150 through 176, by deleting all of said lines and inserting in lieu thereof the following:

“15. (1) Except as provided in subdivision (2) of this section the commission may issue licenses to operate excursion gambling boats up until such point as there are fourteen licensed excursion gambling boats in the state, excluding any excursion gambling boats licensed pursuant to subdivision (2) of this section. Once there are fourteen excursion gambling boats with valid licenses in this state, excluding any excursion gambling boats licensed pursuant to subdivision (2) of this section, the commission shall not issue any new licenses unless one or more of the fourteen licenses already issued expires, is forfeited, or revoked. In that instance the commission may grant a new license to replace the license that expired, was forfeited, or revoked but such license shall only be granted for an excursion gambling boat which will be located in the same city, county, or metropolitan area as the excursion gambling boat whose license expired, was forfeited, or revoked.

2. Notwithstanding the provisions of subdivision (1) of this section, the commission may issue a license to operate an excursion gambling boat to any city of the fourth classification with more than three thousand eight hundred but less than four thousand inhabitants and located in more than one county, provided that the license is applied for and issued prior to January 1, 2010. If such license is not applied for and issued prior to that date then the commission shall not thereafter issue such license.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Salva moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Jackson offered **House Amendment No. 2**.

Representative Salva raised a point of order that he was not recognized for the purpose of requesting a roll call on the motion to adopt **House Amendment No. 1**.

The Chair ruled the point of order not timely.

Representative Salva raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order not timely.

House Amendment No. 2 was withdrawn.

On motion of Representative Wright (137), **HCS HB 560** was adopted.

On motion of Representative Wright (137), **HCS HB 560** was ordered perfected and printed.

HB 952, relating to a sales tax on personal care services, was taken up by Representative Icet.

On motion of Representative Icet, **HB 952** was ordered perfected and printed.

HB 880, relating to the Minority Business Enterprise/Women Business Enterprise Oversight Review Committee, was taken up by Representative Hughes.

On motion of Representative Hughes, **HB 880** was ordered perfected and printed.

HB 789, relating to a sales tax exemption, was taken up by Representative Salva.

On motion of Representative Salva, **HB 789** was ordered perfected and printed.

THIRD READING OF SENATE JOINT RESOLUTION

SS SJR 1, relating to parks and soils tax, was taken up by Representative Chinn.

On motion of Representative Chinn, **SS SJR 1** was truly agreed to and finally passed by the following vote:

AYES: 135

Aull	Baker 25	Baker 123	Bearden	Behnen
Black	Bland	Bowman	Boykins	Bringer
Brown 30	Brown 50	Bruns	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Curls	Darrough	Daus
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Emery	Ervin	Faith
Fisher	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter

Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kuessner	Lager	Lampe	Liese	Lipke
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Quinn
Rector	Richard	Roark	Robb	Robinson
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Zweifel	Mr Speaker

NOES: 021

Avery	Bivins	Brooks	Burnett	Cunningham 86
Davis	Dougherty	Dusenberg	Flook	Kraus
Lembke	LeVota	Muschany	Portwood	Pratt
Roorda	Rucker	Salva	Wildberger	Yates
Young				

PRESENT: 002

El-Amin Fares

ABSENT WITH LEAVE: 004

Bean Loehner Marsh Skaggs

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF SENATE BILLS

SCS SB 73, relating to the sex offender registry, was taken up by Representative Weter.

On motion of Representative Weter, **SCS SB 73** was truly agreed to and finally passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin

Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Cooper 155	Marsh
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SCS SB 258, relating to county health centers, was taken up by Representative Baker (123).

On motion of Representative Baker (123), **SCS SB 258** was truly agreed to and finally passed by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Franz
Fraser	George	Goodman	Guest	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery

Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 012

Bowman	Bringer	Brooks	Cunningham 86	Darrough
Donnelly	Flook	Harris 23	Harris 110	Low 39
Rucker	Salva			

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 005

Bean	Marsh	Portwood	Schoemehl	Wildberger
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SB 378, relating to stolen license plate tabs, was taken up by Representative Boykins.

Representative Boykins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 378, Page 1, Section 301.301, Line 2, by deleting said line and inserting in lieu thereof the following:

“no cost up to two **sets of two** license plate tabs per year when the application for the”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Boykins, **House Amendment No. 1** was adopted.

On motion of Representative Boykins, **SB 378, as amended**, was read the third time and passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Marsh	Shoemyer
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HOUSE CONCURRENT RESOLUTION

HCR 23, relating to women's health, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCR 23** was adopted.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jetton.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2618 - Representative Nance
House Resolution No. 2619
and
House Resolution No. 2620 - Representative Cooper (158)
House Resolution No. 2621
and
House Resolution No. 2622 - Representative Lager
House Resolution No. 2623 - Representative Lembke
House Resolution No. 2624 - Representative Wood
House Resolution No. 2625 - Representative Oxford
House Resolution No. 2626 - Representative Casey
House Resolution No. 2627 - Representative Loehner
House Resolution No. 2628 - Representative Fares
House Resolution No. 2629 - Representatives Fares and Donnelly
House Resolution No. 2630
and
House Resolution No. 2631 - Representative Shoemyer
House Resolution No. 2632
and
House Resolution No. 2633 - Representative Whorton
House Resolution No. 2634 - Representative Goodman
House Resolution No. 2635 - Representative Chappelle-Nadal
House Resolution No. 2636
and
House Resolution No. 2637 - Representative Sutherland
House Resolution No. 2638
through
House Resolution No. 2640 - Representative Pearce
House Resolution No. 2641 - Representative Pratt
House Resolution No. 2642 - Representative Pratt, et al.
House Resolution No. 2643 - Representative Kraus
House Resolution No. 2644
and
House Resolution No. 2645 - Representative Wilson (130)

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILLS

SS SCS SB 179, relating to cost recovery for utility companies, was taken up by Representative Rector.

On motion of Representative Rector, **SS SCS SB 179** was truly agreed to and finally passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Franz
Fraser	George	Goodman	Guest	Harris 23
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 002

Harris 110	Johnson 47
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PRESENT: 002

Brooks	Wilson 130
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ABSENT WITH LEAVE: 005

Bean	Cooper 120	Flook	Marsh	Wright 137
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SS SCS SB 237, relating to telecommunications regulations, was taken up by Representative Rector.

Representative Rector offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 237, Section 227.240, Page 1, Line 7, by inserting immediately after said line the following:

"2. A cable television corporation or company shall be permitted to place its lines within the right-of-way of any state highway, consistent with the rules and regulations of the state highways and transportation commission. The state highways and transportation commission shall establish a system for receiving and resolving complaints with respect to cable television lines placed in, or removed from, the right-of-way of a state highway.", and renumber remaining subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rector, **House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 237, Page 22, Section 1, Line 1, by inserting prior to the word "any" the phrase "beginning January 1, 2007"; and

Further amend the same section, Page 23, Line 8, by deleting the phrase "August 28, 2005" and inserting in lieu thereof "January 1, 2007".

On motion of Representative Byrd, **House Amendment No. 2** was adopted.

On motion of Representative Rector, **HCS SS SCS SB 237, as amended**, was adopted.

On motion of Representative Rector, **HCS SS SCS SB 237, as amended**, was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet

Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Boykins	Dougherty	Marsh
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SB 323, relating to umbilical cord blood banks, was taken up by Representative Kraus.

On motion of Representative Kraus, **SB 323** was truly agreed to and finally passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44

May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Boykins	Dougherty	Marsh	Parker
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HBs 591, 210, 377, 760 & 777, relating to transportation, was taken up by Representative Schlottach.

Representative Henke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 591, 210, 377, 760 & 777, Page 4, Section 136.055, Line 18 of said page, by deleting all of said line and inserting in lieu thereof the following:

"state director of revenue **as provided in subsection 2 of this section** to act as an agent of the department of"; and

Further amend said bill, Page 5, Section 136.055, Line 20 of said page, by inserting after all of said line the following:

"2. The department of revenue shall award fee office contracts under this section to school districts or coalitions of school districts, or to individual organizations through a competitive bidding process. Any revenues generated as a result of the competitive bidding process shall be distributed to the school districts in the county in which the fee office is located, with the funds to be distributed on a per-pupil basis."; and

Further amend said bill, Page 5, Section 136.055, Line 21 of said page, by deleting all of said line and inserting in lieu thereof the following:

"**3.** All fees charged shall not exceed those in this section."; and

Further amend said bill, Page 5, Section 136.055, Line 25 of said page, by deleting all of said line and inserting the following:

"[3.] **4.** Any person acting as agent of the department of revenue"; and

Further amend said bill, Page 6, Section 136.055, Line 2 of said page, by deleting all of said line and inserting the following:

"[4.] **5.** The fee increases authorized by this section and"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith (118) offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 591, 210, 377, 760 & 777, Page 1, Section 2, Lines 9-14, by striking all of said lines, and inserting in lieu thereof the following:

"contracts under this section to the counties of this state.".

HCS HBs 591, 210, 377, 760 & 777, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 10**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee, the Commission for the Missouri Senior Rx Program, and the Office of Administration to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005 and ending June 30, 2006.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 36, Section 10.705, Line 7, by deleting the number "\$17,729,743" and inserting in lieu thereof the number "\$17,705,267"; and

Further amend said section, Line 8, by deleting the number "21,439,375" and inserting in lieu thereof the number "21,212,662"; and

Further amend said section, Line 21, by deleting said line and inserting in lieu thereof the following:

“Total (Not to exceed 1,016 F.T.E.) \$41,849,716”.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 27, Section 10.325, by deleting said section and replacing in lieu thereof the following new section:

“Section 10.325. To the Department of Mental Health
 For the Division of Mental Retardation-Developmental Disabilities
 For the purpose of funding asphalt overlay of parking lots at
 Bellefontaine Habilitation Center
 From Mental Health Trust Fund \$437,304

For the purpose of funding capital improvement projects at State
 Habilitation Centers and residential facilities
 From Mental Health Trust Fund 336,596
 Total (0 F.T.E.) \$773,900”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 11**, entitled:

An act to appropriate money for the expenses, grants and distributions of the Department of Social Services and the Office of Administration, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005 and ending June 30, 2006.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 13, Section 11.242, Line 4, by deleting Line 4 and Line 5 and inserting in lieu thereof the following:

“contracts through community based, organizations as described in RSMo 210.112.”; and

Further amend said section, Line 9, by inserting after the word “include” the following:

“, but are not limited to, Case Management, Foster Care, Residential Treatment,”; and

Further amend said section, Line 12, by inserting after the word “and” as it appears the first time in said line the following: “/or”.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 17, Section 11.400, Lines 3-9, by striking all of said lines and inserting in lieu thereof the following:

“For the purpose of funding administrative services. The single agency administering the Medicaid”.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 14, Section 11.245, Line 5, by deleting the number “39,483,463” and inserting in lieu thereof the number “43,207,440”; and

Further amend said section, Line 7, by deleting the number “61,174,652” and inserting in lieu thereof the number “64,898,629”; and

Further amend said bill, Page 24, Section 11.475, Line 19, by deleting the number “29,232,881” and inserting in lieu thereof the number “25,508,904”; and

Further amend said section, Line 29, by deleting the number “131,693,421” and inserting in lieu thereof the number “127,969,444” and adjust bill totals accordingly.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 12**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive’s Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005 and ending June 30, 2006.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 12, Page 2, Section 12.030, Line 3, by deleting said line and inserting in lieu thereof the following:

“From General Revenue Funds	\$438,069
From Federal Funds	226,713
Total (Not to exceed 12.50 F.T.E.)	\$664,782”; and

Amend bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 13**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, and structural modifications for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

In which the concurrence of the House is respectfully requested.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 1, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HB 1** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 2** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 3, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 3, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 4, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 4** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 5, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 5** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 6, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 6** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 7, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 7, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 8, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 8, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 9, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 9** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 10, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 10, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 11, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HCS HB 11, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 12, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HB 12, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 13, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that the House refuse to adopt **SCS HB 13** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

RECESS

On motion of Representative Dempsey, the House recessed until 11:00 p.m. or until such time as the House has received messages from the Senate.

The hour of recess having expired, the House was called to order by Speaker Jetton.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 15**.

SENATE CONCURRENT RESOLUTION NO. 15

WHEREAS, on April 12, 2005, the Missouri General Assembly truly agreed and finally passed Senate Substitute for Senate Bill No. 539 which modifies Missouri's current state Medicaid program; and

WHEREAS, while the bill contains a provision establishing the "Medicaid Reform Commission" to study and review recommendations for reforms of the state Medicaid system, such commission cannot be formed until after the effective date of Senate Substitute for Senate Bill No. 539, or August 28, 2005; and

WHEREAS, it is in the best interest of the citizens of the State of Missouri for the Medicaid Reform Commission to begin its important task as soon as possible:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby immediately establish the "Medicaid Reform Commission" which shall have the task of studying and reviewing recommendations for reforms of the state Medicaid system. The commission shall consist of the following ten members:

(1) Five members of the House of Representatives appointed by the Speaker of the House of Representatives; and

(2) Five members of the Senate appointed by the President Pro Tem of the Senate.

No more than three members from each house shall be of the same political party. The directors of the departments of social services, health and senior services, and mental health, or the directors' designees shall serve as ex officio members of the commission; and

BE IT FURTHER RESOLVED that the commission shall commence after the end of the First Regular Session of the Ninety-third General Assembly, and shall terminate on August 28, 2005. The work of the commission shall be furnished to the Medicaid Reform Commission formed under Section 208.014 as enacted by Senate Substitute for Senate Bill No. 539, Ninety-third General Assembly, First Regular Session, including, but not limited to, its clear and concise policy recommendations on reforming, redesigning, and restructuring a new, innovative state Medicaid healthcare delivery system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C.

Section 30 et seq.), as amended, to replace the current state Medicaid system under Title XIX, Public Law 89-97, 1965, amendments to the federal Social Security Act (42 U.S.C. Section 30 et seq.); and

BE IT FURTHER RESOLVED that the members of the commission shall be reimbursed for the actual and necessary expenses incurred in the discharge of the member's official duties; and

BE IT FURTHER RESOLVED that a chair of the commission shall be selected by the members of the commission and the commission shall meet as necessary; and

BE IT FURTHER RESOLVED that the commission is authorized to contract with a consultant and the compensation of the consultant and other personnel shall be paid from the joint contingent fund or jointly from the Senate and House contingent funds until an appropriation is made therefor; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Directors of the Departments of Social Services, Health and Senior Services, and Mental Health.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SBs 10 & 27** and has taken up and passed **HCS SCS SBs 10 & 27**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 21, as amended**, and has taken up and passed **HCS SB 21, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 24** and has taken up and passed **HCS SCS SB 24**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS#2 SB 55, as amended**, and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 3, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 4** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 5** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 6** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 7, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 8, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 9** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 10, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 11, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 12, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 13** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Gross, Nodler, Purgason, Dougherty and Green.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

- SCS HB 1:** Representatives Lager, Icet, Stefanick, LeVota and Robinson
- SCS HCS HB 2:** Representatives Lager, Icet, Stefanick, LeVota and Schoemehl
- SCS HCS HB 3:** Representatives Lager, Icet, Stefanick, Fraser and Baker (25)
- SCS HCS HB 4:** Representatives Lager, Icet, Stefanick, Shoemyer and Wright-Jones
- SCS HCS HB 5:** Representatives Lager, Icet, Stefanick, Liese and Shoemyer
- SCS HCS HB 6:** Representatives Lager, Icet, Stefanick, Henke and Witte
- SCS HCS HB 7:** Representatives Lager, Icet, Stefanick, Spreng and Boykins
- SCS HCS HB 8:** Representatives Lager, Icet, Stefanick, Wildberger and Roorda
- SCS HCS HB 9:** Representatives Lager, Icet, Stefanick, Brown (50) and Wildberger
- SCS HCS HB 10:** Representatives Lager, Icet, Stefanick, Donnelly and Johnson (61)
- SCS HCS HB 11:** Representatives Lager, Icet, Stefanick, Donnelly and El-Amin
- SCS HB 12:** Representatives Lager, Icet, Stefanick, LeVota and Storch
- SCS HB 13:** Representatives Lager, Icet, Stefanick, LeVota and Storch

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 697 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 402 - Judiciary

COMMITTEE REPORTS

Committee on Budget, Chairman Lager reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 15**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 19**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SBs 74 & 49**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 232**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

House Committee Amendment No. 1

AMEND Senate Bill No. 232, Section 537.528, Page 2, Line 2, by striking all of said line and inserting in lieu thereof the following:

“2. Conduct or speech undertaken”; and

Further amend said bill, Section 537.528, Page 2, Lines 18-19, by striking all of said lines and inserting in lieu thereof the following:

“or any political subdivision of the state [is] shall possess a qualified privilege against liability for slander or libel where such conduct, speech,”; and

Further amend said bill, Section 537.528, Page 2, Line 21, by inserting after the word “**seeking**” on said line the following:

“**injunctive relief or**”; and

Further amend said bill, Section 537.528, Page 2, Line 33, by deleting the phrase “**has produced clear and convincing evidence**”, and inserting in lieu thereof the following:

“**shows by a preponderance of the evidence**”; and

Further amend said bill, Section 537.528, Page 2, Line 34, by deleting the word “**immunized**” on said line and inserting in lieu thereof the word “**privileged**”; and

Further amend said bill, Section 537.528, Page 4, Line 91, by deleting the word “**privileged**” on said line and inserting in lieu thereof the word “**privileged**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SBs 420 & 344**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Behnen reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 28**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on General Laws, Chairman Roark reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 500**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

The following member's presence was noted: Marsh.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Al Liese, District 79, hereby state and affirm that my vote as recorded on Page 1240 of the House Journal for Tuesday, April 26, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 27th day of April 2005.

/s/ Al Liese
State Representative

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State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 27th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sue Schoemehl, District 100, hereby state and affirm that my vote as recorded on Page 1270 of the House Journal for Tuesday, April 26, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 27th day of April 2005.

/s/ Sue Schoemehl
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 27th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Thursday, April 28, 2005, Senate Lounge upon afternoon adjournment.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5,
SCS HCS HB 6, SCS HCS HB 7, SCS HCS HB 8,
SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11,
SCS HB 12, SCS HB 13

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 28, 2005, 9:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: SB 194

FISCAL REVIEW

Thursday, April 28, 2005, 9:00 a.m. Hearing Room 4.

Executive session.

Any bills or matters referred to the Fiscal Review Committee. CANCELLED

JUDICIARY

Thursday, April 28, 2005, House Chamber side gallery upon morning adjournment.

Executive session will be held fifteen minutes after adjournment.

LOCAL GOVERNMENT

Monday, May 2, 2005, Hearing Room 6 upon afternoon adjournment.
Executive session will be held on: SCS SB 468, SCS SB 57

RULES

Thursday, April 28, 2005, Hearing Room 6 upon afternoon adjournment.
Executive session may follow. AMENDED
Public hearings to be held on: HCS HB 842 & 831, HCS HB 18,
HCS SCS SBs 221, 250 & 256, HCS SS SB 343,
HCS SCS SBs 420 & 344, SB 232

SPECIAL COMMITTEE ON EDUCATION FUNDING

Thursday, April 28, 2005, 8:00 a.m. Hearing Room 1.
Executive session may follow. AMENDED
Public hearing to be held on: SS SCS SB 287

SPECIAL COMMITTEE ON EDUCATION FUNDING

Thursday, April 28, 2005, Hearing Room 1 upon morning adjournment.
Hearing will be thirty minutes after adjournment if needed.
Executive session may follow.
Public hearing to be held on: SS SCS SB 287

SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 2, 2005, Hearing Room 5 upon afternoon adjournment.
Executive session may follow. AMENDED
Public hearings to be held on: HB 911, SCS SCR 6, SCS SCR 8

TRANSPORTATION

Monday, May 2, 2005, Hearing Room 7 upon afternoon adjournment.
Executive session.

WAYS AND MEANS

Thursday, April 28, 2005, 8:30 a.m. Hearing Room 3.
Possible Executive session.
Public hearing to be held on: SCS SB 196

HOUSE CALENDAR

SIXTY-FIFTH DAY, THURSDAY, APRIL 28, 2005

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner

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- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 192 - Sander
- 13 HCS HB 742 - Bearden
- 14 HCS HB 854 - Richard
- 15 HCS HB 924 - Wallace
- 16 HCS HB 972 - Jetton
- 17 HCS HB 231 - Portwood
- 18 HCS#2 HB 586 - Sander
- 19 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 20 HB 784 - Meadows
- 21 HB 633 - Lipke

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 3 HCS HB 400 - Yates
- 4 HCS HB 649 - Fares
- 5 HCS HB 91 - Johnson (47)
- 6 HCS HB 665 - Behnen
- 7 HCS HB 697, (Fiscal Review 4-27-05) - Lembke
- 8 HCS HB 474 - Yates
- 9 HCS HB 560 - Wright (137)
- 10 HB 952, E.C. - Icet
- 11 HB 880 - Hughes
- 12 HB 789 - Salva

HOUSE BILL FOR THIRD READING - FEDERAL MANDATE

HCS HB 500 & 533 - Faith

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 178 - Schaaf
- 2 SB 211 - Cooper (120)
- 3 SCS SB 222 - Sutherland
- 4 HCS SCS SB 246 - Villa
- 5 SB 259 - Baker (123)
- 6 SB 261 - Yates
- 7 SCS SB 266 - Fares
- 8 SCS SB 267 - Jackson
- 9 SB 279 - Wasson
- 10 SCS SB 289 - Tilley
- 11 SB 298 - Wright-Jones
- 12 SB 299 - Wright-Jones
- 13 SCS SB 302 - Cunningham (86)
- 14 SB 306 - Dethrow
- 15 HCS SB 307 - Kuessner
- 16 SB 318 - Cooper (120)
- 17 SB 347 - Cooper (155)
- 18 SB 394 - Pearce
- 19 SCS SB 407 - Lipke
- 20 SB 453 - St. Onge
- 21 SB 480 - Kraus
- 22 HCS SB 490 - Pearce
- 23 SCS SB 501 - Stefanick
- 24 SB 507 - Baker (25)
- 25 SB 516 - Richard
- 26 SB 518 - Cooper (155)
- 27 SCS SB 6 - Lager
- 28 HCS SB 38 - Ruestman
- 29 SB 122 - Wright (137)
- 30 SB 162 - Cooper (155)
- 31 HCS SB 174, E.C. - Bruns
- 32 HCS SB 177 - Behnen
- 33 HCS SCS SB 182 - Rector
- 34 SB 209 - Pearce
- 35 HCS SB 216 - Goodman
- 36 SCS SB 227 - Kuessner
- 37 HCS SCS SB 238 - Faith
- 38 SCS SB 247 - Bruns
- 39 SB 265 - Wood
- 40 SB 288 - Lager
- 41 SB 304 - Ervin

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- 42 HCS SB 308 - Pollock
- 43 SB 317 - Smith (118)
- 44 SCS SB 354 - Schlottach
- 45 SB 357 - Johnson (47)
- 46 HCS SB 364, E.C. - Franz
- 47 HCS SCS SB 372 - Kuessner
- 48 SCS SB 374 - Zweifel
- 49 SB 396 - Sutherland
- 50 HCS SB 401 - Lembke
- 51 SB 418 - Lipke
- 52 HCS SB 422 - Yates
- 53 HCS SCS SB 423 - Lipke
- 54 HCS SCS SB 450, E.C. - Portwood
- 55 SCS SB 496 - Kelly
- 56 SCS SB 502, E.C. - Portwood
- 57 SB 521, HCA1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 70 - Richard
- 2 SB 367 - Deeken
- 3 SCS SB 390 - Pratt
- 4 SB 488, HCA 1 - Robinson
- 5 SCS SB 170, E.C. - Byrd
- 6 SB 280 - Wasson
- 7 SB 286 - Kingery
- 8 SB 479 - May
- 9 SB 526 - Cunningham (145)
- 10 SB 180 - Cooper (158)
- 11 HCS SCS SB 260 - Baker (123)
- 12 SB 268 - Byrd
- 13 SB 274 - Richard
- 14 SS SCS SB 346 - Ruestman
- 15 HCS SS SCS SB 210 - Johnson (47)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)

BILL CARRYING REQUEST MESSAGES

HCS SCS#2 SB 155, as amended (request House recede/grant conference) - Kingery

BILLS IN CONFERENCE

- 1 SCS HB 1 - Lager
- 2 SCS HCS HB 2 - Lager
- 3 SCS HCS HB 3, as amended - Lager
- 4 SCS HCS HB 4 - Lager
- 5 SCS HCS HB 5 - Lager
- 6 SCS HCS HB 6 - Lager
- 7 SCS HCS HB 7, as amended - Lager
- 8 SCS HCS HB 8, as amended - Lager
- 9 SCS HCS HB 9 - Lager
- 10 SCS HCS HB 10, as amended - Lager
- 11 SCS HCS HB 11, as amended - Lager
- 12 SCS HB 12, as amended - Lager
- 13 SCS HB 13 - Lager

HOUSE CONCURRENT RESOLUTION

HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HCR 14, (4-26-05, Pages 1277-1278) - Zweifel

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-FIFTH DAY, THURSDAY, APRIL 28, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend John Arcovo.

Father,

We approach You today with full confidence in the power of Your name and the complete direction of Your word. We look once again to You today for divine guidance and wisdom. Your word instructs us that, "A man's heart deviseth his way: but the Lord directs his steps."

Let our steps be directed by You this day. We recognize that without You we can do nothing and echo the words of the Apostle Paul, "We can do all things through Christ which strengthened us."

May we ever remain a nation that stands for and adheres to the national motto, "In God We Trust".

Let our affairs and decisions be made with integrity and with Godly wisdom and compassion.

We ask these things in Your mighty, awesome name, Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tylor Kraus, Tannor Kraus, Brianna Holloman, Dustin Whisnant, Austin McGinnis, Andrea Floyd, Tural Khaspoladov, Mikhail Morozov, Sona Harutyunyan, Dong Wook Kim, Daniel Stringer, Otabek Yuldashev, Alexandra Bahachova, Elin Nyysti, Rina Marie Maas-Deipenbrock, Supaporn Kovitkulkrai, James LaFloure, Jennifer Christian, Whitney Law and Travis Hahn.

The Journal of the sixty-fourth day was approved as corrected.

Representative Byrd assumed the Chair.

Speaker Jetton resumed the Chair.

Speaker Jetton suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bearden
Bivins	Black	Bland	Bringer	Brown 30
Brown 50	Bruns	Burnett	Byrd	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Bean	Behnen	Bowman	Boykins	Brooks
Casey	Haywood	Hubbard	Low 39	Marsh
Oxford	Rector	Salva	Wildberger	Yates
Young				

VACANCIES: 001

SPECIAL RECOGNITION

The Eighth Annual House Employee Appreciation Day was held and employees were recognized for their years of service. Outstanding Employees of the Year were Adam Crumbliss and Betty Pringer.

Representative Richard assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2646
and
House Resolution No. 2647 - Representative Jetton
House Resolution No. 2648 - Representative Denison
House Resolution No. 2649
through
House Resolution No. 2652 - Representative Viebrock
House Resolution No. 2653
and
House Resolution No. 2654 - Representative Cooper (158)
House Resolution No. 2655
through
House Resolution No. 2657 - Representative Munzlinger
House Resolution No. 2658 - Representative Curls
House Resolution No. 2659 - Representative May
House Resolution No. 2660 - Representative Lager
House Resolution No. 2661 - Representative Witte
House Resolution No. 2662 - Representative Sanders Brooks
House Resolution No. 2663 - Representative Meadows
House Resolution No. 2664
through
House Resolution No. 2666 - Representative Wasson
House Resolution No. 2667 - Representative Roark
House Resolution No. 2668
and
House Resolution No. 2669 - Representative Viebrock
House Resolution No. 2670 - Representative Lampe
House Resolution No. 2671 - Representative Harris (110)
House Resolution No. 2672 - Representative Brown (30)
House Resolution No. 2673 - Representative Jetton
House Resolution No. 2674 - Representative May
House Resolution No. 2675 - Representative Quinn
House Resolution No. 2676
through
House Resolution No. 2690 - Representative Hobbs
House Resolution No. 2691 - Representative Fisher
House Resolution No. 2692 - Representative Portwood

THIRD READING OF SENATE BILLS - CONSENT

SB 178, relating to podiatrists, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **SB 178** was truly agreed to and finally passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Brown 50	Fisher	Hubbard	Marsh
Stevenson	Wagner			

VACANCIES: 001

Representative Richard declared the bill passed.

SB 211, relating to merchandising practices, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **SB 211** was truly agreed to and finally passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	St. Onge	Storch	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Brooks	Hubbard	Marsh	Pearce
Stevenson	Sutherland			

VACANCIES: 001

Representative Richard declared the bill passed.

HCS SCS SB 246, relating to sewer systems, was taken up by Representative Villa.

On motion of Representative Villa, **HCS SCS SB 246** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bowman	Boykins	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Bean	Bland	Brooks	Hubbard
Marsh	Schneider	Stevenson	Viebrock	Young

VACANCIES: 001

Representative Richard declared the bill passed.

SB 259, relating to county planning boards, was taken up by Representative Rector.

On motion of Representative Rector, **SB 259** was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrouh	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 001

Loehner

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 006

Bean	Brooks	Hubbard	Marsh	Parker
Sutherland				

VACANCIES: 001

Representative Richard declared the bill passed.

SB 261, relating to small employer health reinsurance, was taken up by Representative Yates.

On motion of Representative Yates, **SB 261** was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Brooks	Hubbard	Marsh
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VACANCIES: 001

Representative Richard declared the bill passed.

SCS SB 266, relating to teachers, was taken up by Representative Fares.

On motion of Representative Fares, **SCS SB 266** was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Boykins	Hubbard	Marsh
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VACANCIES: 001

Representative Richard declared the bill passed.

SCS SB 267, relating to property tax assessment, was taken up by Representative Jackson.

On motion of Representative Jackson, **SCS SB 267** was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 001

Franz

PRESENT: 002

Salva Wildberger

ABSENT WITH LEAVE: 005

Bean Hubbard Johnson 61 Marsh Schneider

VACANCIES: 001

Representative Richard declared the bill passed.

SB 279, relating to demand drafts, was taken up by Representative Wasson.

On motion of Representative Wasson, **SB 279** was truly agreed to and finally passed by the following vote:

AYES: 155

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker 25	Bean	Denison	Hubbard	Johnson 61
Marsh	Schneider			

VACANCIES: 001

Representative Richard declared the bill passed.

SCS SB 289, relating to grand jury duties, was taken up by Representative Tilley.

On motion of Representative Tilley, **SCS SB 289** was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hughes	Hunter	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Donnelly	El-Amin	Hubbard	Icet
Marsh	Schneider	Spreng		

VACANCIES: 001

Representative Richard declared the bill passed.

Speaker Jetton resumed the Chair.

Speaker Pro Tem Bearden assumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 237, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 237, as amended, relating to telecommunications regulation, was taken up by Representative Rector.

Representative Rector moved that the House refuse to recede from its position on **HCS SS SCS SB 237, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SCS SB 237: Representatives Rector, Emery, Schad, LeVota and George

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SCS SB 237, as amended**: Senators Klindt, Griesheimer, Ridgeway, Green and Callahan.

PERFECTION OF HOUSE BILL

HCS HB 972, relating to intoxication-related offenses, was taken up by Representative Jetton.

Representative Henke offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 972, Page 4, Section 577.023, Line 60, by inserting immediately after said line:

"6. Any person who pleads guilty to or is found guilty of violation of section 577.010 or section 577.012 shall not be selected or appointed pursuant to section 136.055."; and

Further amend said bill by renumbering the subsections in Section 577.023 accordingly.

Representative Goodman offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Goodman offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 972, Page 1, Line 3, by adding at the end of said line the following:

“and who is proven to be a chronic offender,”.

Representative Goodman moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 005

Denison	Goodman	May	Myers	Pollock
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NOES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter

Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Kratky	Marsh	Wildberger	Wright 137
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VACANCIES: 001

Representative Bringer offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 972, Page 1, Section 577.023, Line 3, by inserting after said line, the following:

“Unless said person’s record of such conviction has been expunged by a court of law.”.

Representative Bringer moved that **House Amendment No. 2 to House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Henke moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Aull	Baker 25	Bowman	Bringer	Brooks
Brown 50	Burnett	Casey	Corcoran	Cunningham 86
Curls	Darrough	Davis	Donnelly	Faith
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hughes	Johnson 61	Johnson 90
Jolly	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Meadows	Muschany	Nance
Nolte	Oxford	Page	Portwood	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Silvey	Skaggs	Spreng	Storch
Swinger	Wagner	Walsh	Walton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

NOES: 097

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bland	Brown 30	Bruns	Byrd
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Daus	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Fares	Fisher	Flook

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Franz	Goodman	Guest	Hobbs	Hubbard
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Lager	Lembke	Lipke
Loehner	Lowe 44	May	McGhee	Meiners
Moore	Munzlinger	Myers	Nieves	Parker
Parson	Pearce	Phillips	Pollock	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 004

Bean	Boykins	Kratky	Marsh
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VACANCIES: 001

On motion of Representative Jetton, **HCS HB 972** was adopted.

On motion of Representative Jetton, **HCS HB 972** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HCS HB 400, relating to the Dental Carve-Out Act, was taken up by Representative Yates.

On motion of Representative Yates, **HCS HB 400** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Behnen
Bivins	Black	Bland	Bowman	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger

Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 003

Bearden	Davis	Rupp
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PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Boykins	Marsh
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 649, relating to elderly and disabled income tax credits, was taken up by Representative Fares.

On motion of Representative Fares, **HCS HB 649** was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance

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Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Boykins	Marsh	Ruestman	Wagner
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 91, relating to tax increment financing, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), **HCS HB 91** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Roark	Robb	Robinson

Roorda	Rucker	Ruestman	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 007

George	Lager	Richard	Rupp	Skaggs
Wells	Wright-Jones			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Marsh	St. Onge	Wasson	Young
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 474, relating to insurer intervention in civil actions, was taken up by Representative Yates.

On motion of Representative Yates, **HCS HB 474** was read the third time and passed by the following vote:

AYES: 092

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Guest	Hobbs
Hunter	Icet	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Spreng	Stefanick
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wagner	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

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NOES: 068

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 158	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Flook
Fraser	George	Goodman	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Lipke	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Parker	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Stevenson
Storch	Swinger	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean Marsh

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 560, relating to excursion gambling boat licenses, was taken up by Representative Wright (137).

On motion of Representative Wright (137), **HCS HB 560** was read the third time and passed by the following vote:

AYES: 120

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bland	Bringer	Brown 30	Bruns
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Harris 110
Haywood	Henke	Hobbs	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kraus	Kuessner
Lager	Lampe	Lembke	Liese	Lipke
Loehner	May	McGhee	Meadows	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Roark	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley

Viebrock	Wagner	Wallace	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 034

Aull	Baker 25	Bowman	Brooks	Brown 50
Burnett	Curls	Daus	Dougherty	Fraser
George	Hoskins	Hubbard	Hughes	Kratky
Low 39	Lowe 44	Meiners	Richard	Robb
Robinson	Roorda	Rucker	Salva	Spreng
Villa	Vogt	Walsh	Walton	Wasson
Whorton	Wildberger	Wright-Jones	Young	

PRESENT: 003

Byrd	Harris 23	Oxford
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ABSENT WITH LEAVE: 005

Bean	Boykins	LeVota	Marsh	Moore
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HCS HBs 500 & 533, relating to the transfer of employer accounts, was taken up by Representative Faith.

On motion of Representative Faith, **HCS HBs 500 & 533** was read the third time and passed by the following vote:

AYES: 160

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page

Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean Marsh

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 192, relating to waste tires, was taken up by Representative Sander.

Representative Sander offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 192, Section 260.273, Page 2, Line 31, by inserting after the phrase "section 260.276" the following:

“, except that any unencumbered moneys may be used for public health, environmental and safety projects in response to environmental emergencies as determined by the director”; and

Further amend said section, said page, Line 41, by inserting immediately after said line the following:

“8. By January 1, 2009, the department shall report to the General Assembly a complete accounting of the tire cleanups completed or in progress, the costs of the cleanups, the number of tires remaining, the balance of the fund and enforcement actions completed or initiated to address waste tires.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

On motion of Representative Sander, **House Amendment No. 1** was adopted.

On motion of Representative Sander, **HCS HB 192, as amended**, was adopted.

On motion of Representative Sander, **HCS HB 192, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 665 - Fiscal Review (Fiscal Note)

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SS SB 402 - Local Government

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 194**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 254**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 18**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 430**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 490**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 491**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 549**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 552**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 660**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 842 & 831**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 875**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 95**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 99**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 123**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 141**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 165**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 168**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 173**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 187**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 192**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 221, 250 & 256**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 232, with House Committee Amendment No. 1**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 319**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 343**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 361**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 380**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 420 & 344**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of two (2) hours for debate on Third Reading**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 431**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 5**.

SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, following breast cancer, cervical cancer is the second most common cancer in women worldwide; and

WHEREAS, according to federal governmental statistics, cervical cancer is the third most common gynecological cancer among American women, with approximately 12,200 new cases diagnosed annually, 4,100 of which result in fatalities; and

WHEREAS, with regular and accurate screening, cervical cancer is highly preventable; widespread screening programs have helped to reduce death rates of women from cervical cancer, but women are still dying even with such advanced medical techniques and evaluative procedures; and

WHEREAS, cervical cancer cases in the United States are generally attributed to a lack of education, a reduction of access available to regular cervical cancer screening, and a lack of screening accuracy; and

WHEREAS, experience shows that increasing cervical cancer awareness among women, especially the underserved women within our state, significantly reduces the probability of mortality; and

WHEREAS, cervical cancer disproportionately affects minority women and women with lower incomes because they are less likely to have access to routine screening; and

WHEREAS, approximately half of all cervical cancer cases are in women who have never been screened, and ten percent of cases are in women who have not been screened within the last five years; and WHEREAS, the median age of cervical cancer patients at diagnosis is 47 years, the youngest median age for all female reproductive cancers; and

WHEREAS, new screening technologies, including FDA-approved testing for human papillomavirus, which is the cause of virtually all cervical cancers, offer new opportunities to finally eliminate this potentially deadly disease through early identification of women at increased risk; and

WHEREAS, leading medical organizations, including the American College of Obstetricians and Gynecologists, the American Cancer Society, and the Association of Reproductive Health Professionals, have recently updated their screening guidelines to include FDA-approved testing for the human papillomavirus; and

WHEREAS, women are entitled to proper cervical cancer information, so that they can be empowered to make informed healthcare decisions, and access to routine screening, including the most accurate methods available; and

WHEREAS, the Missouri General Assembly recognizes that through education and screening, women can lower their likelihood for developing cervical cancer, and that through early detection, cervical cancer can be successfully treated after it develops:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby supports the Missouri Department of Health and Senior Services and the Missouri Cancer Consortium in taking the lead in formulating the Comprehensive Cancer Action Plan for Missouri, including the review of data regarding cervical cancer and human papillomavirus of women in Missouri, evaluating current methods used to provide women with information regarding cervical cancer, access to regular screening, and options for increasing screening accuracy. The Missouri General Assembly supports the Missouri Department of Health and Senior Services and the Missouri Cancer Consortium in the identification of pockets of need, priority strategies, and new technologies, including newly introduced therapies and preventive vaccines which are effective in preventing and controlling cervical cancer; and

BE IT FURTHER RESOLVED that the Comprehensive Cancer Action Plan for Missouri, which serves as a nationwide model of effective cancer control strategies, be presented yearly to the Governor, Lieutenant Governor, President Pro Tem of the Senate, the Speaker of the House of Representatives and to be posted on the Missouri state website homepage; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor of Missouri, the Director of the Department of Health and Senior Services and the Director of the Missouri Cancer Consortium.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCR 7**.

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 7

WHEREAS, musculoskeletal conditions are responsible for approximately 50 percent of all health-related military disability discharges and the most common non-traumatic cause of functional impairment during military operations; and

WHEREAS, chiropractic services often are used to treat musculoskeletal conditions, and Congress established chiropractic benefits and services for both active duty military within the U.S. Department of Defense and for veterans within the Veterans' Affairs health care systems; and

WHEREAS, doctors of chiropractic practice are in nearly 50 military treatment facilities, primarily testing musculoskeletal conditions and slowly are being added to the VA health care system; and

WHEREAS, there currently is no enterprise coordinating and guiding collaborative research efforts between preeminent chiropractic colleges, scientists, and the military researchers to address the primary questions surrounding integration of chiropractic into military health care environments; and

WHEREAS, there is a critical need to establish a robust, collaborative, national program to address the continued integration of chiropractic health care into the Department of Defense health care systems; and

WHEREAS, Logan College of Chiropractic and the Samueli Institute have proposed the establishment of a plan to create a new consortial Chiropractic Center for Military Research in Chesterfield, Missouri, on the campus of Logan College; and

WHEREAS, the Center will facilitate development of research capacity in the area of musculoskeletal research, education and training through linkages with researchers and scientists at chiropractic educational institutions with researchers within the Department of Defense and with scientists and researchers at the Samueli Institute; and

WHEREAS, the research program to be pursued by the collaborative consortial Chiropractic Center for Military Research will focus special, initial priority consideration on those musculoskeletal conditions that are affecting those active duty military and veterans participating in or returning from combat in Afghanistan and Iraq, including the role of chiropractic manipulation in the total care of those with amputations and prosthetics:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, urge the United States Senate and the United States House of Representatives to authorize and appropriate full funding required to establish the proposed Chiropractic Center for Military Research at Logan College of Chiropractic at its campus in Chesterfield, Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 13**.

SENATE CONCURRENT RESOLUTION NO. 13

WHEREAS, the State of Missouri, as an employer, established goals to recruit and retain employees with the objective of providing the highest quality of services to its citizen taxpayers of this state; and

WHEREAS, the State of Missouri has adopted a comprehensive benefit package for retention of its state employees which includes a defined benefit structure; and

WHEREAS, the State of Missouri has two separate retirement systems for state employees with similar benefit provisions; and

WHEREAS, the Joint Committee on Public Employee Retirement presented a report to the Missouri General Assembly addressing the issues related to the possible merger of state employee retirement systems identifying the effect of consolidation on the two systems, including:

- (1) Effect on the boards responsible for administering benefits and the impact on fiduciary duties, and governance;
- (2) Effect on funding and contribution rates and the impact on differing actuarial assumptions and methods;
- (3) Effect on investments, including returns, asset allocations, investment policies, expertise, efficiencies, expenses, economies of scale and the impact on consultants and fund managers;
- (4) Similarities and differences in retirement plan provisions, including the disability retirement, long-term disability and life insurance plans;
- (5) Impact on benefit services, information technology, records management, accounting and auditing information and other issues encompassing administrative functions;
- (6) Impact on membership which including active employees, retirees, survivors and disabled members; and

WHEREAS, ensuring the current benefit structure providing financial security in an equitable and cost-effective manner is in the best interest of the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby wish to seek a fiscally responsible solution providing future cost containment and eliminating ineffective duplication of benefit plan administration; and

BE IT FURTHER RESOLVED that, we hereby establish the "State Retirement Consolidation Commission" whose task will be to analyze the issues and objectives set forth above. The commission shall be composed of the following members:

- (1) Two members of the Missouri Department of Transportation and Highway Patrol Employees' Retirement System Board of Trustees appointed by the Governor;
- (2) Two members of the Missouri State Employees' Retirement System Board of Trustees appointed by the Governor;
- (3) Chair and Vice Chair of the Joint Committee on Public Employee Retirement;
- (4) Commissioner of Administration;
- (5) Director of the Missouri Department of Transportation;
- (6) Colonel of the Missouri State Highway Patrol; and

BE IT FURTHER RESOLVED the State Retirement Consolidation Commission shall commence immediately and shall terminate operations on December 31, 2005. The State Retirement Consolidation Commission shall furnish clear and concise policy recommendations and legislative proposals for consideration in the second regular session of Ninety-Third General Assembly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 37, 322, 78, 351 & 424**.

An act to repeal sections 311.310, 311.325, 565.024, 568.050, and 577.023, RSMo, section 302.309 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session and section 302.309 as enacted by conference committee substitute no. 2 for senate committee substitute for house committee substitute for house bill nos. 302 & 38, ninety-first general assembly, first regular session, and to enact in lieu thereof six new sections relating to alcohol related offenses, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 100** and has taken up and passed **HCS SCS SB 100**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SBs 103 & 115** and has taken up and passed **HCS SCS SBs 103 & 115**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 189** and has taken up and passed **HCS SB 189**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 246** and requests the House to recede from its position and take up and pass **SCS SB 246**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 252, as amended**, and has taken up and passed **HCS SCS SB 252, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 270, as amended**, and has taken up and passed **HCS SCS SB 270, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 to SB 378** and has taken up and passed **SB 378, as amended**.

The following member's presence was noted: Marsh.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 2:00 p.m., Monday, May 2, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-fourth Day, Wednesday, April 27, 2005, Page 1303, Line 24, by deleting the numeral “55” and inserting in lieu thereof the numeral “155”.

Page 1307, Line 10, by deleting the word “**privileged**” and inserting in lieu thereof the word “**immune**”.

AFFIDAVIT

I, State Representative Michael Spreng, District 76, hereby state and affirm that my vote as recorded on the motion to Truly Agree To and Finally Pass Senate Committee Substitute for Senate Bill No. 289 of the House Journal for Thursday, April 28, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 28th day of April 2005.

/s/ Michael Spreng
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 28th day of April in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 3, 2005, 8:30 a.m. Hearing Room 1.

Discussion on prioritizing the list of ideas from committee members regarding the Department of Conservation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Monday, May 2, 2005, 11:00 a.m. Hearing Room 7.

Information session regarding the Federal Prescription Drug Plan.

CONFERENCE COMMITTEE NOTICE

Friday, April 29, 2005, 9:00 a.m. Senate Lounge.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Monday, May 2, 2005, 9:00 a.m. Senate Lounge.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Tuesday, May 3, 2005, 9:00 a.m. Hearing Room 3.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Wednesday, May 4, 2005, 9:00 a.m. To be announced.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Thursday, May 5, 2005, Senate Lounge upon afternoon adjournment.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Friday, May 6, 2005, 9:00 a.m. Senate Lounge.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

FISCAL REVIEW

Monday, May 2, 2005, 1:00 p.m. Hearing Room 4.

Executive session will be held on: HCS HB 665, HCS HB 697

FISCAL REVIEW

Tuesday, May 3, 2005, 9:00 a.m. Hearing Room 4.

Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Wednesday, May 4, 2005, 9:00 a.m. Hearing Room 4.

Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 4.

Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 6, 2005, 9:00 a.m. Hearing Room 4.

Executive session on any bills or matters referred to the Fiscal Review Committee.

LOCAL GOVERNMENT

Monday, May 2, 2005, Hearing Room 6 upon afternoon adjournment. AMENDED

Public hearing to be held on: SS SB 402

Executive session will be held on: SCS SB 468, SCS SB 57, SS SB 402

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 4, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 504, HB 550, HB 599

SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 2, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 911, SCS SCR 6, SCS SCR 8

TRANSPORTATION

Monday, May 2, 2005, Hearing Room 7 upon afternoon adjournment.

Executive session.

HOUSE CALENDAR

SIXTY-SIXTH DAY, MONDAY, MAY 2, 2005

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 3 HCS HB 665, (Fiscal Review 4-28-05) - Behnen
- 4 HCS HB 697, (Fiscal Review 4-27-05) - Lembke
- 5 HB 952, E.C. - Icet
- 6 HB 880 - Hughes
- 7 HB 789 - Salva
- 8 HCS HB 972 - Jetton
- 9 HCS HB 192, E.C. - Sander

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE BILL FOR SECOND READING

SS SCS SBs 37, 322, 78, 351 & 424 - Nodler

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 222 - Sutherland
- 2 SB 298 - Wright-Jones
- 3 SB 299 - Wright-Jones
- 4 SCS SB 302 - Cunningham (86)
- 5 SB 306 - Dethrow
- 6 HCS SB 307 - Kuessner
- 7 SB 318 - Cooper (120)
- 8 SB 347 - Cooper (155)
- 9 SB 394 - Pearce
- 10 SCS SB 407 - Lipke
- 11 SB 453 - St. Onge
- 12 SB 480 - Kraus
- 13 HCS SB 490 - Pearce
- 14 SCS SB 501 - Stefanick
- 15 SB 507 - Baker (25)
- 16 SB 516 - Richard
- 17 SB 518 - Cooper (155)
- 18 SCS SB 6 - Lager
- 19 HCS SB 38 - Ruestman
- 20 SB 122 - Wright (137)
- 21 SB 162 - Cooper (155)
- 22 HCS SB 174, E.C. - Bruns
- 23 HCS SB 177 - Behnen
- 24 HCS SCS SB 182 - Rector
- 25 SB 209 - Pearce
- 26 HCS SB 216 - Goodman
- 27 SCS SB 227 - Kuessner
- 28 HCS SCS SB 238 - Faith
- 29 SCS SB 247 - Bruns
- 30 SB 265 - Wood
- 31 SB 288 - Lager
- 32 SB 304 - Ervin
- 33 HCS SB 308 - Pollock
- 34 SB 317 - Smith (118)
- 35 SCS SB 354 - Schlottach
- 36 SB 357 - Johnson (47)
- 37 HCS SB 364, E.C. - Franz

- 38 HCS SCS SB 372 - Kuessner
- 39 SCS SB 374 - Zweifel
- 40 SB 396 - Sutherland
- 41 HCS SB 401 - Lembke
- 42 SB 418 - Lipke
- 43 HCS SB 422 - Yates
- 44 HCS SCS SB 423 - Lipke
- 45 HCS SCS SB 450, E.C. - Portwood
- 46 SCS SB 496 - Kelly
- 47 SCS SB 502, E.C. - Portwood
- 48 SB 521, HCA 1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 70 - Richard
- 2 SB 367 - Deeken
- 3 SCS SB 390 - Pratt
- 4 SB 488, HCA 1 - Robinson
- 5 SCS SB 170, E.C. - Byrd
- 6 SB 280 - Wasson
- 7 SB 286 - Kingery
- 8 SB 479 - May
- 9 SB 526 - Cunningham (145)
- 10 SB 180 - Cooper (158)
- 11 HCS SCS SB 260 - Baker (123)
- 12 SB 268 - Byrd
- 13 SB 274 - Richard
- 14 SS SCS SB 346 - Ruestman
- 15 HCS SS SCS SB 210 - Johnson (47)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS#2 SB 155, as amended (request House recede/grant conference) - Kingery
- 2 HCS SCS SB 246, (request House recede/take up and pass bill) - Villa

BILLS IN CONFERENCE

- 1 SCS HB 1 - Lager
- 2 SCS HCS HB 2 - Lager
- 3 SCS HCS HB 3, as amended - Lager
- 4 SCS HCS HB 4 - Lager
- 5 SCS HCS HB 5 - Lager
- 6 SCS HCS HB 6 - Lager
- 7 SCS HCS HB 7, as amended - Lager
- 8 SCS HCS HB 8, as amended - Lager
- 9 SCS HCS HB 9 - Lager
- 10 SCS HCS HB 10, as amended - Lager
- 11 SCS HCS HB 11, as amended - Lager
- 12 SCS HB 12, as amended - Lager
- 13 SCS HB 13 - Lager
- 14 HCS SS SCS SB 237, as amended - Rector

HOUSE CONCURRENT RESOLUTION

HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HCR 14, (4-26-05, Pages 1277-1278) - Zweifel

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-SIXTH DAY, MONDAY, MAY 2, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, righteousness and justice are the foundation of Your throne; mercy and truth go before You.

All Your works are true and Your ways just. May, at the end of the day, the same be said of us.

You have instructed us in Your Word that only through pride comes unprofitable debates, but with those who take advice is wisdom.

Lord God we ask of Your wisdom in all we do, for we are confident that the wisdom that comes from You directs us to be peaceful, reasonable, sensible, helpful, impartial and without hypocrisy.

As we make tough decisions today, may we do so with a focused mind and a servant's heart.

We ask these things of You, in the name of Your Son, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Joe Sherman.

The Journal of the sixty-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2693

and

House Resolution No. 2694 - Representative LeVota

House Resolution No. 2695

through

House Resolution No. 2708 - Representative Schoemehl

House Resolution No. 2709

through

House Resolution No. 2722 - Representative Hobbs

House Resolution No. 2723 - Representatives Bringer and Munzlinger

House Resolution No. 2724 through	
House Resolution No. 2732	- Representative Page
House Resolution No. 2733 through	
House Resolution No. 2746	- Representative Davis
House Resolution No. 2747	- Representative Robb
House Resolution No. 2748 and	
House Resolution No. 2749	- Representative Bearden
House Resolution No. 2750 and	
House Resolution No. 2751	- Representative Cooper (158)
House Resolution No. 2752 and	
House Resolution No. 2753	- Representative Dethrow
House Resolution No. 2754	- Representative LeVota
House Resolution No. 2755	- Representative Lager
House Resolution No. 2756	- Representative Baker (25)
House Resolution No. 2757 and	
House Resolution No. 2758	- Representative Swinger
House Resolution No. 2759 and	
House Resolution No. 2760	- Representative Whorton
House Resolution No. 2761	- Representative Lager
House Resolution No. 2762	- Representative Munzlinger
House Resolution No. 2763	- Representative Wilson (119)
House Resolution No. 2764 through	
House Resolution No. 2766	- Representative Rucker
House Resolution No. 2767	- Representative Skaggs
House Resolution No. 2768	- Representative Kuessner, et al.
House Resolution No. 2769	- Representative Kuessner
House Resolution No. 2770	- Representative Kraus
House Resolution No. 2771	- Representatives Henke and Sutherland
House Resolution No. 2772	- Representatives Baker (25) and Harris (23)
House Resolution No. 2773	- Representative Wasson
House Resolution No. 2774	- Representative Oxford
House Resolution No. 2775	- Representative Smith (14)
House Resolution No. 2776	- Representative Witte
House Resolution No. 2777	- Representative Chinn
House Resolution No. 2778	- Representative Wells
House Resolution No. 2779	- Representative Chinn
House Resolution No. 2780	- Representative Loehner
House Resolution No. 2781	- Representative Black

House Resolution No. 2782
through
House Resolution No. 2785 - Representative Sander
House Resolution No. 2786
through
House Resolution No. 2794 - Representative Cunningham (145)

SECOND READING OF SENATE BILL

SS SCS SBs 37, 322, 78, 351 & 424 was read the second time.

THIRD READING OF SENATE BILL

HCS SS SCS SB 210, relating to local government, was taken up by Representative Johnson (47).

Representative Johnson (47) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 34.070, Page 3, Line 6, by deleting the word “**or**” after the word “**percent**”; and

Further amend said substitute, Section 44.090, Page 3, Line 27, by deleting the word “**an**” before the word “**execution**” and by deleting the word “**are**” before the word “**automatically**”; and

Further amend said section, Page 4, Line 44, by inserting the word “**a**” before the word “**license**”; and

Further amend said section and page, Line 57, by deleting the word “**subvisions**” and inserting in lieu thereof the word “**subdivisions**”; and

Further amend said substitute, Section 56.640, Page 14, Line 9, by deleting the word “**counselors**” and inserting in lieu thereof the word “**counselor’s**”; and

Further amend said substitute, Section 99.1082, Page 38, Line 80, by deleting the third occurrence of the word “**one**” and inserting in lieu thereof the word “**nine**”; and

Further amend said substitute, Section 99.1086, Page 42, Line 226, by deleting the second occurrence of the word “**redevelopment**” and inserting in lieu thereof the word “**development**”; and

Further amend said substitute, Section 99.1088, Page 43, Line 6, by deleting the words “**subsection 2**” and inserting in lieu thereof the words “**subsections 2 and 3**”; and

Further amend said substitute, Section 137.071, Page 55, Line 18, by deleting the word “**of**” and inserting in lieu thereof the word “**or**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 1** was adopted.

Representative Daus offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 81, Section 250.140, Line 14, by deleting the word “**sixty**”, and inserting in lieu thereof the following: “**ninety**”; and

Further amend said section, Page 81, Line 15, by deleting the word “**sixty**”, and inserting in lieu thereof the following: “**ninety**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Daus moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Baker 25	Bringer	Brooks	Brown 50	Burnett
Corcoran	Daus	Donnelly	El-Amin	Fraser
George	Hoskins	Hughes	Johnson 61	Jolly
Kratky	LeVota	Liese	Low 39	Lowe 44
Meiners	Oxford	Roorda	Rucker	Salva
Schoemehl	Skaggs	Spreng	Storch	Villa
Vogt	Wagner	Walsh	Whorton	Wright-Jones
Yaeger	Young			

NOES: 115

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bruns	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hunter	Icet	Jackson
Johnson 47	Johnson 90	Jones	Kelly	Kingery
Kraus	Kuessner	Lager	Lampe	Lembke
Lipke	Loehner	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Selby	Self
Shoemyer	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Zweifel	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Bowman	Boykins	Brown 30	Haywood
Hubbard	Marsh	Page	Walton	Yates

VACANCIES: 001

Representative Schneider offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 82, Section 250.140, Line 26, by inserting after said language the following:

“5. Any city town, village, or sewer district or water supply district organized and incorporated under Chapter 247, RSMo, rendering sewerage services, water services, or water and sewerage services shall charge at a minimum a one hundred dollar deposit on non-owner occupied residences.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kraus offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

House Amendment No. 3 was withdrawn.

Representative Phillips offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 72, Section 190.010, Lines 3-11, by deleting all of said lines and inserting in lieu thereof the following:

“necessarily implied. The territory contained within the corporate limits of a proposed ambulance district shall not be required to be contiguous. Any territory which is non-contiguous within a proposed district must be located so that least a portion of the territory lies within five miles of any other portion of the territory contained within the proposed ambulance district. Notwithstanding the provisions of subsection 2 of section 190.015, an ambulance district may include municipalities or territory not in municipalities or both or territory in one or more counties, except, that the provisions of section 190.001 to 190.090 are not effective in counties having a population of more than four hundred thousand inhabitants at the time the ambulance district is formed. The territory contained within the corporate limits of an existing ambulance district shall not be incorporated in another ambulance district. Ambulance districts created”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pratt offered **House Amendment No. 1 to House Amendment No. 4.**

Representative Burnett raised points of order that **House Amendment No. 1 to House Amendment No. 4** is not a true amendment to the amendment and that the distribution of the amendment to the amendment was not timely.

The Chair ruled the points of order not well taken.

House Amendment No. 1 to House Amendment No. 4 was withdrawn.

On motion of Representative Phillips, **House Amendment No. 4** was adopted.

Representative Lager offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 97, Section 3, Line 7, by inserting after the word "officials", the following:

" , unless the current salary of such officials, as of August 28, 2005, is lower than the compensation provided under the salary schedules, in which case, the current salary of such officials shall be set as a base salary"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sutherland offered **House Amendment No. 1 to House Amendment No. 5**.

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Lines 5-6, by striking the following:

" , in which case, the current salary of such officials shall be set as a base salary"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Lager, **House Amendment No. 5, as amended**, was adopted.

Representative Witte offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 38, Section 99.1082, Line 85, by deleting the word "**one**" and inserting in lieu thereof the words "**ten thousand**"; and

Further amend said bill, Page 38, Section 99.1082, Line 85, by inserting at the end of said line the following:

"or

(d) At least two hundred fifty thousand dollars for a project area within a city having a population of one to nine thousand nine hundred and ninety-nine inhabitants"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Witte, **House Amendment No. 6** was adopted.

Representative Pollock offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Pages 23 - 28, Section 67.1305, Lines 1 - 183, by deleting all of said lines and inserting in lieu thereof the following:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303. The governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local option economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the

account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process; and,
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(1) The economic development tax board established by a city and shall consist of five members, to be appointed as follows:

- (a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;
- (b) Three members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city; and,
- (c) One member shall be appointed by the governing body of the county in which the city is located.

(2) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

- (a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;
- (b) Four members shall be appointed by the governing body of the county; and
- (c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall

hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the local option economic development sales tax imposed under this section when imposed within a special taxing district, including, but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the department of economic development shall submit to the joint committee on economic development a report which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year; and

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section

67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."

On motion of Representative Pollock, **House Amendment No. 7** was adopted.

Representative Pearce offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 545.550, Page 96, Line 13, by inserting after all of said line the following:

"573.505. 1. In order to defray the costs of background checks conducted pursuant to section 573.503, any city not within a county and any county may, by ordinance or order, impose a sales tax on all retail sales which are subject to taxation under the provisions of sections 144.010 to 144.510, RSMo, made in such city or county by any adult cabaret. The tax authorized by this section shall not be levied at a rate which would amount to a sum greater than [ten] **five** percent of the gross receipts of any such business. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order or ordinance imposing a sales tax under the provisions of this section shall be effective unless the governing body of the city or county submits to the voters of the city or county, at a city, county or state general, primary, or special election, a proposal to authorize the governing body of the city or county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the city or county of (city's or county's name) impose a sales tax upon adult cabarets of (Insert amount) for a period not to exceed (Insert number) years for the purpose of investigating the background of the employees of such businesses **and for the general law enforcement use of the sheriff's office with existing revenues to be used for either purpose?**

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the city or county shall have no power to impose the sales tax authorized by this section unless and until the governing body of the city or county shall again have submitted another proposal to authorize the governing body of the city or county to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by a city or county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used by the city or county [solely] for the investigation of the backgrounds of persons employed at any adult cabaret in such city or county **and for the general law enforcement use of the sheriff's office**. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

4. The tax authorized by this section shall terminate four years from the date on which such tax was initially imposed by the city or county, unless sooner abolished by the governing body of the city or county.

5. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "City and County Background Check Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city or county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the city or county treasurer of each such city or county, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city or county.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

8. As used in this section, the term "city" means any city not within a county.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pearce, **House Amendment No. 8** was adopted.

Representative Johnson (47) offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 36, Section 94.270, Line 59, by deleting “2 to” and inserting in lieu thereof “4 and”; and

Further amend said section and page, Lines 62-63, by deleting said lines and inserting in lieu thereof the following:

“7. Any city under subsections 1, 2 and 3 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

(a) One-eighth of one percent of such hotels’ or motels’ gross revenue; or

(b) The business license tax rate for such hotel or motel on May 1, 2005.

8. The provisions of subsection 7 shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005.

9. The provisions of subsections 4, 5, 6, and 7 of this section shall become effective on January 1, 2006.

10. Notwithstanding any other provision of law to the contrary, any city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated within the city, which tax shall be not more than five percent of the charges paid for such sleeping rooms, in lieu of any license tax currently imposed on hotels and public boarding houses under section 94.270, RSMo. The governing body of such city shall expend all revenues derived from the tax imposed under this section to promote tourism and to defray the operational and maintenance expenses of any recreational or sporting facilities constructed in the city prior to August 28, 2005. The Mayor, with the consent of the governing body, shall appoint an advisory board to assist the city in ensuring that the revenues derived from the tax imposed under this section are allocated and expended in a manner consistent with the provisions of this section. The advisory board shall consist of two members representing the hotel and motel industry, two members representing the local, general business community, and two members of the governing body.”; and

Further amend said substitute, Section 94.270, Page 36, Line 63, by inserting after all of said line the following:

“94.834. 1. The governing body of any city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants, the governing body of any city of the third classification with more than twelve thousand four hundred but less than twelve thousand five hundred inhabitants, the governing body of any city of the fourth classification with more than two thousand three hundred but less than two thousand four hundred inhabitants and located in any county of the fourth classification with more than thirty-two thousand nine hundred but

less than thirty-three thousand inhabitants, and the governing body of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the fourth classification with more than twenty-three thousand seven hundred but less than twenty-three thousand eight hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted pursuant to this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Johnson (47), **House Amendment No. 9** was adopted.

Representative Smith (14) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 301.025, Page 88, Line 177, by inserting after all of said line the following:

"321.120. 1. The decree of incorporation shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree, and until it has been assented to by a majority vote of the voters of the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of incorporating the district, and to select three or five persons to act as the first board of directors, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall there be incorporated a fire protection district?

☐ YES

☐ NO

3. The proposition of electing the first board of directors or the election of subsequent directors may be submitted on a separate ballot or on the same ballot which contains any other proposition of the fire protection district. The ballot to be used for the election of a director or directors shall be substantially in the following form:

OFFICIAL BALLOT

Instruction to voters:

Place a cross (X) mark in the square opposite the name of the candidate or candidates you favor. (Here state the number of directors to be elected and their term of office.)

ELECTION

(Here insert name of district.) Fire Protection District. (Here insert date of election.)

FOR BOARD OF DIRECTORS

..... ☐?

..... ☐

..... ☐?

4. If a majority of the voters voting on the proposition or propositions voted in favor of the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to incorporate the district, then the court shall enter its further order declaring the decree of incorporation to be void and of no effect. If the court enters an order declaring the decree of incorporation to be final and conclusive, it shall at the same time designate the first board of directors of the district who have been elected by the voters voting thereon. If a board of three members is elected, the person receiving the third highest number of votes shall hold office for a term of two years, the person receiving the second highest number of votes shall hold office for a term of four years, and the person receiving the highest number of votes shall hold office for a term of six years from the date of the election of the first board of directors and until their successors are duly elected and qualified. If a board of five members is elected, the person who received the highest number of votes shall hold office for a term of six years, the persons who received the second and third highest numbers of votes shall hold office for terms of four years and the persons who received the fourth and fifth highest numbers of votes shall hold office for terms of two years and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified, **provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified.** The court shall at the same time enter an order of record declaring the result of the election on the proposition, if any, to incur bonded indebtedness.

5. Notwithstanding the provisions of subsections 1 to 4 of this section to the contrary, upon a motion by the board of directors in districts where there are three-member boards, and upon approval by the voters in the district, the number of directors may be increased to five, except that in any county of the first classification with a population of more than nine hundred thousand inhabitants such increase in the number of directors shall apply only in the event of a consolidation of existing districts. The ballot to be used for the approval of the voters to increase the number of members on the board of directors of the fire protection district shall be substantially in the following form:

Shall the number of members of the board of directors of the (Insert name of district) Fire Protection District be increased to five members?

☐ YES

☐ NO

If a majority of the voters voting on the proposition vote in favor of the proposition then at the next election of board members after the voters vote to increase the number of directors, the voters shall select two persons to act in addition to the existing three directors as the board of directors. The court which entered the order declaring the decree of incorporation to be final shall designate the additional board of directors who have been elected by the voters voting thereon as follows: the one receiving the second highest number of votes to hold office for a term of four years, and the one receiving the highest number of votes to hold office for a term of six years from the date of the election of such additional board of directors and until their successors are duly elected and qualified. Thereafter, members of the board shall be elected to serve terms of six years and until their successors are duly elected and qualified, **provided however, in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, any successor elected and qualified in the year 2005 shall hold office for a term of six years and until his or her successor is duly elected and qualified and any successor elected and qualified in the year 2006 or 2007 shall hold office for a term of five years and until his or her successor is duly elected and qualified, and thereafter, members of the board shall be elected to serve terms of four years and until their successors are duly elected and qualified.**

6. Members of the board of directors in office on the date of an election pursuant to subsection 5 of this section to elect additional members to the board of directors shall serve the term to which they were elected or appointed and until their successors are elected and qualified.

321.190. Each member of the board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall not be paid for attending more than two in any calendar month, except that in a county of the first class having a charter form of government, he shall not be paid for attending more than four in any calendar month. **However, no board member shall be paid more than one attendance fee if such member attends more than one board meeting in a calendar week.** In addition, the chairman of the board of directors may receive fifty dollars for attending each regularly or specially called board meeting, but shall

not be paid the additional fee for attending more than two meetings in any calendar month. Each member of the board shall be reimbursed for his actual expenditures in the performance of his duties on behalf of the district. The secretary and the treasurer, if members of the board of directors, may each receive such additional compensation for the performance of their respective duties as secretary and treasurer as the board shall deem reasonable and necessary, not to exceed one thousand dollars per year. The circuit court having jurisdiction over the district shall have power to remove directors or any of them for good cause shown upon a petition, notice and hearing.”; and

Further amend said substitute, Page 91, Section 321.322, Line 62, by inserting after said line the following:

“321.603. In addition to the compensation provided pursuant to section 321.190 for fire protection districts located in a county of the first classification with a charter form of government, each member of any such fire protection district board may receive an attendance fee not to exceed one hundred dollars for attending a board meeting conducted pursuant to chapter 610, RSMo, but such board member shall not be paid for attending more than four such meetings in any calendar month. **However, no board member shall be paid more than one attendance fee if such member attends more than one meeting conducted under chapter 610, RSMo, in a calendar week.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey offered **House Amendment No. 1 to House Amendment No. 10.**

*House Amendment No. 1
to
House Amendment No. 10*

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Line 3, by inserting after all of said line the following:

“66.411. No county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants shall dissolve, eliminate, merge, or terminate a municipal fire department of any home rule city with more than sixty thousand three hundred but fewer than sixty thousand four hundred inhabitants, until it has been submitted to an election of the voters residing within the home rule city with more than sixty thousand three hundred but fewer than sixty thousand four hundred inhabitants, and assented to by a majority vote of the voters of the city voting on the question.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dempsey, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Smith (14), **House Amendment No. 10, as amended**, was adopted.

Representative Lembke offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 88, Section 301.025, Line 177, by inserting after said line the following:

“321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least [two years] **one year** before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than [two years] **one year** before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lembke, **House Amendment No. 11** was adopted.

Representative George offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 73, Section 190.015, Line 20, by deleting the words “**may choose to**” and inserting in lieu thereof the following:

“with boundaries congruent with each participating fire protection district’s existing boundaries provided no ambulance district already exists in whole or part of any district being proposed and the dominant provider of ambulance services within the proposed district as of September 1, 2005, discontinues ambulance services, and the board of each participating district, by a majority vote, approves the formation of such a district and participating fire protection districts are contiguous. Upon approval by the fire protection district boards, subsection 1 of this section shall be followed for formation of the ambulance district. Services provided by a district under this subsection shall only include emergency ambulance services as defined in section 321.225, RSMo.”; and

Further amend said section and page, Lines 21-23, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative George, **House Amendment No. 12** was adopted.

Representative Wasson offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 70, Section 140.150, Line 4, by deleting the opening and closing brackets; and

Further amend said section and page, Lines 4-6, by deleting the following:

“on a day in August, such date to be specified by the county collector no later than July fifteenth in the year in which the sale is to be held”; and

Further amend said substitute, Pages 71-72, Section 140.170, Lines 1-39, by deleting said section from the substitute; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wright (159) offered **House Amendment No. 1 to House Amendment No. 13**.

*House Amendment No. 1
to
House Amendment No. 13*

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Line 14, by inserting after all of said line the following:

"4. Notwithstanding the provisions of subsection 3 of this section to the contrary, any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants shall retain the position of township collector which shall be governed by the township collector law as it existed on August 27, 2005, unless by a majority vote of the qualified voters in the county the position of township collector is converted to the position of collector-treasurer. The question of converting the position of township collector to the position of collector-treasurer in such county may be put to a vote in the county either upon a majority vote of the county commission or upon submission of a petition signed by at least five percent of the registered voters of the county presented to the county commission. If the question is put to a vote and passes by a majority of the voters voting in such election, such county shall convert the position of township collector to the position of collector-treasurer."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Burnett raised a point of order that the distribution of **House Amendment No. 1 to House Amendment No. 13** was not timely.

The Chair ruled the point of order not well taken.

On motion of Representative Wright (159), **House Amendment No. 1 to House Amendment No. 13** was adopted.

On motion of Representative Wasson, **House Amendment No. 13, as amended**, was adopted.

Representative Richard offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 4, Page 99, Line 60, by inserting after all of said line the following:

"Section 5. 1. The governor is hereby authorized and empowered to sell, transfer, grant and convey all interest in fee simple absolute in property owned by the state in Jasper County. The property to be conveyed is more particularly described as follows:

All of Lots Numbered Ninety-seven (97) and Ninety-eight (98) in Byer's and Murphy's Addition to Murphysburg, now a part of the City of Joplin, Jasper County, Missouri.

All of Lots 131 and 132 in Byers and Murphy's Addition to the town of Murphysburg in the City of Joplin, Jasper County, Missouri, situated in the Northeast Quarter (N. E. 1/4) of the

Northeast Quarter (N.E. 1/4) of Section Ten (S.10) Township Twenty-seven (Twp. 27), and Range Thirty-three (R. 33).

All of Lots Numbered Ninety-Nine (99) and One Hundred (100) in Byers and Murphy's Addition to the Town of Murphysburg, now a part of the City of Joplin, Jasper County, Missouri.

This property is used by the Division of Workforce Development as a career center.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of sale.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 14** was adopted.

Representative Wilson (119) offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 137.720, Page 64, Line 22, by inserting immediately after the word “**expenses**” the following:

“identified in a memorandum of understanding signed by the county’s governing body and the county assessor prior to transfer of county general revenue funds to the assessment fund”; and

Further amend said page, Line 23, by removing the brackets “[]” around the word “unanimously”; and

Further amend said page, Line 24, by removing the words “**at least two of the following:**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (119), **House Amendment No. 15** was adopted.

Representative Dempsey offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 8, Section 50.1031, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"of assets to the actuarial accrued liability equaling at least eighty percent. No benefit adjustment shall be adopted which causes the funded ratio to fall more than five percent.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dempsey, **House Amendment No. 16** was adopted.

Representative Sutherland offered **House Amendment No. 17.**

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 55, Section 137.071, Line 24, by inserting after all of said line the following:

“Section A. Section 137.078, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 137.078, 137.079, and 137.122, to read as follows:

137.078. 1. For purposes of this section, the following terms shall mean:

(1) "Analog equipment", all depreciable items of tangible personal property that are used directly or indirectly in broadcasting television shows [and], **radio programs, or commercials through the use of analog technology, including studio broadcast equipment, transmitter and antenna equipment, and broadcast towers;**

(2) "Applicable analog fraction", a fraction, the numerator of which is the total number of analog television sets in the United States for the immediately preceding calendar year and the denominator of which is an amount representing the total combined number of analog and digital television sets in the United States for the immediately preceding calendar year. The applicable analog fraction will be determined on an annual basis by the Missouri Broadcasters Association;

(3) "Applicable analog percentage", the following percentages for the following years:

Year of Acquisition	2004 Tax Year	2005 Tax Year	2006 Tax Year	2007 Tax Year
				1%
2006				1%
2005			25%	1%
2004		50%	25%	1%
2003	75%	50%	25%	1%
2002	75%	50%	25%	1%
2001	75%	50%	25%	1%
2000	75%	50%	25%	1%
1999	75%	50%	25%	1%
1998	75%	50%	25%	1%
Prior	75%	50%	25%	1%;

(4) "Applicable digital fraction", a fraction, the numerator of which is the total number of digital television sets in the United States for the immediately preceding calendar year and the denominator of which is an amount representing the total combined number of analog and digital television sets in the United States for the immediately preceding calendar year. The applicable digital fraction will be determined on an annual basis by the Missouri Broadcasters Association;

(5) **"Broadcast towers", structures with a function that includes holding television or radio broadcasters' antennae, repeaters, or translators at the height required or needed to transmit over-the-air signals or enhance the transmission of the signals. This term also includes the structures at least partially used by television broadcasters or radio broadcasters to provide weather radar information to the public. For property tax assessment purposes, broadcast towers are classified as tangible personal property;**

(6) "Digital equipment", all depreciable items of tangible personal property that are used directly or indirectly in broadcasting television shows [and], **radio programs, or commercials through the use of digital technology, including studio broadcast equipment, transmitter and antenna equipment, and broadcast towers;**

(7) **"Radio broadcasters", all businesses that own, lease, or operate radio broadcasting stations that transmit radio shows and commercials and that are required to be licensed by the Federal Communications Commission to provide such services;**

(8) **"Radio broadcasting equipment", both analog equipment and digital equipment;**

[(6)] (9) "Television broadcasters", all businesses that own, lease, or operate television broadcasting stations that transmit television shows and commercials and that are required to be licensed by the Federal Communications Commission to provide such services;

[(7)] (10) **"Television broadcasting equipment", both analog equipment and digital equipment;**

(11) **"Transmitter and antenna equipment", equipment with functions that include transmitting signals from broadcast studios by increasing the power, tuning signals to the frequency allowed by regulatory authorities, and broadcasting signals to the public for television broadcasters or radio broadcasters;**

(12) "Studio broadcast equipment", studio equipment that receives, produces, modifies, controls, measures, modulates, adds to or subtracts from, or enhances signals in the process that results in over-the-air signals for television broadcasters or radio broadcasters.

2. In response to recent action by the Federal Communications Commission, as described by the commission in the fifth report and order, docket number 97-116, for purposes of assessing all items of television broadcasting equipment that are owned and used by television broadcasters for purposes of broadcasting television shows and commercials:

(1) The true value in money of all analog equipment shall be determined by depreciating the historical cost of such property using the depreciation tables provided in subdivision (1) of subsection 3 of this section and multiplying the results by the applicable analog percentage. The result of the second computation is multiplied by the applicable analog fraction to determine the true value in money of the analog equipment; and

(2) The true value in money of all digital equipment shall be determined by depreciating the historical cost of such property using the depreciation tables provided in subdivision (2) of subsection 3 of this section and multiplying the results by the applicable digital fraction to determine the true value in money of the digital equipment.

3. For purposes of subsection 2 of this section, the depreciation tables for determining the [fair] true value in money of television broadcasting equipment are as follows:

(1) For analog equipment, the following depreciation tables will apply for the following years:

Year of Acquisition	2004 Tax Year	2005 Tax Year	2006 Tax Year	2007 Tax Year
2006				65%
2005			65%	45%
2004		65%	45%	30%
2003	65%	45%	30%	20%
2002	45%	30%	20%	10%
2001	30%	20%	10%	5%
2000	20%	10%	5%	5%
1999	10%	5%	5%	5%
1998	5%	5%	5%	5%
Prior	5%	5%	5%	5%;

(2) For digital equipment, the following depreciation tables will apply for the following years:

Year of Acquisition	2004 Tax Year	2005 Tax Year	2006 Tax Year	2007 Tax Year
2006				65%
2005			65%	45%
2004		65%	45%	30%
2003	65%	45%	30%	20%
2002	45%	30%	20%	10%
2001	30%	20%	10%	5%
2000	20%	10%	5%	5%
1999	10%	5%	5%	5%
1998	5%	5%	5%	5%
Prior	5%	5%	5%	5%.

4. Beginning January 1, 2008, for purposes of assessing all items of television broadcasting equipment that are owned and used by television broadcasters for purposes of broadcasting television shows and commercials, the following depreciation tables will be used to determine their true value in money. The percentage shown for the first year shall be the percentage of the original cost used for January first of the year following the year of acquisition of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Studio Broadcast Equipment	Transmitter and Antenna Equipment	Broadcast Tower
1	65%	91%	96%
2	45%	82%	93%
3	30%	73%	89%
4	20%	64%	86%
5	10%	55%	82%
6	5%	46%	79%

7	37%	75%
8	28%	72%
9	19%	68%
10	10%	65%
11		61%
12		58%
13		54%
14		51%
15		47%
16		44%
17		40%
19		33%
20		30%
21		27%
22		24%
23		21%
24		18%
25		15%.

Television broadcasting equipment in all recovery periods shall continue in subsequent years to have the depreciation percentage last listed in the appropriate column so long as it is owned or held by the taxpayer.

5. Effective January 1, 2006, for purposes of assessing all items of radio broadcasting equipment that are owned and used by radio broadcasters for purposes of broadcasting radio programs and commercials, the following depreciation tables will be used to determine their true value in money. The percentage shown for the first year shall be the percentage of the original cost used for January first of the year following the year of acquisition of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Studio Broadcast Equipment	Transmitter and Antenna Equipment	Broadcast Tower
1	65%	91%	96%
2	45%	82%	93%
3	30%	73%	89%
4	20%	64%	86%
5	10%	55%	82%
6	5%	46%	79%
7		37%	75%
8		28%	72%
9		19%	68%
10		10%	65%
11			61%
12			58%
13			54%
14			51%
15			47%
16			44%
17			40%
19			33%
20			30%
21			27%
22			24%
23			21%
24			18%
25			15%.

Radio broadcast equipment in all recovery periods shall continue in subsequent years to have the depreciation percentage last listed in the appropriate column so long as it is owned or held by the taxpayer.

137.079. Prior to setting its rates or rates as required by section 137.073, each taxing authority shall exclude from its total assessed valuation seventy-two percent of the total amount of assessed value of business personal property that is subject to an appeal at the state tax commission or in a court of competent jurisdiction in this state. This exclusion shall only apply to the portion of the assessed value of business personal property that is disputed in the appeal, and shall not exclude any portion of the same property that is not disputed. If the taxing authority uses a multi-rate approach as provided in section 137.073, this exclusion shall be made from the personal property class. The state tax commission shall provide each taxing authority with the total assessed value of business personal property within the jurisdiction of such taxing authority for which an appeal is pending no later than August 20 of each year. Whenever any appeal is resolved, whether by final adjudication or settlement, and the result of the appeal causes money to be paid to the taxing authority, the taxing authority shall not be required to make an additional adjustment to its rate or rates due to such payment once the deadline for setting its rates, as provided by this chapter, has passed in a taxable year, but shall adjust its rate or rates due to such payment in the next rate setting cycle to offset the payment in the next taxable year. For the purposes of this section, the term "business personal property", means tangible personal property which is used in a trade or business or used for production of income and which has a determinable life of longer than one year except that supplies used by a business shall also be considered business personal property, but shall not include livestock, farm machinery, property subject to the motor vehicle registration provisions of chapter 301, RSMo, property subject to the tables provided in section 137.078, or property assessed by the state tax commission under chapters 151, 153, and 155, RSMo, section 137.022, and sections 137.1000 to 137.1030."; and

Further amend said bill, Section 137.122, Pages 59 to 62, Lines 1 to 94, by deleting all of said lines and inserting in lieu thereof the following:

"137.122. 1. As used in this section, the following terms mean:

(1) "Business personal property", tangible personal property which is used in a trade or business or used for production of income and which has a determinable life of longer than one year except that supplies used by a business shall also be considered business personal property, but shall not include livestock, farm machinery, grain and other agricultural crops in an unmanufactured condition, property subject to the motor vehicle registration provisions of chapter 301, RSMo, property assessed under section 137.078, or property assessed by the state tax commission under chapters 151, 153, and 155, RSMo, section 137.022, and sections 137.1000 to 137.1030;

(2) "Class life", the class life of property as set out in the federal Modified Accelerated Cost Recovery System life tables or their successors under the Internal Revenue Code as amended;

(3) "Economic or functional obsolescence", a loss in value of personal property above and beyond physical deterioration and age of the property. Such loss may be the result of economic or functional obsolescence or both;

(4) "Original cost", the price the current owner, the taxpayer, paid for the item without freight, installation, or sales or use tax. In the case of acquisition of items of personal property as part of an acquisition of an entity, the original cost shall be the historical cost of those assets remaining in place and in use and the placed in service date shall be the date of acquisition by the entity being acquired;

(5) "Placed in service", property is placed in service when it is ready and available for a specific use, whether in a business activity, an income-producing activity, a tax-exempt activity, or a personal activity. Even if the property is not being used, the property is in service when it is ready and available for its specific use;

(6) "Recovery period", the period over which the original cost of depreciable tangible personal property shall be depreciated for property tax purposes and shall be the same as the recovery period allowed for such property under the Internal Revenue Code.

2. To establish uniformity in the assessment of depreciable tangible personal property, each assessor shall use the standardized schedule of depreciation in this section to determine the assessed valuation of depreciable tangible personal property for the purpose of estimating the value of such property subject to taxation under this chapter.

3. For purposes of this section, and to estimate the value of depreciable tangible personal property for mass appraisal purposes, each assessor shall value depreciable tangible personal property by applying the class life and recovery period to the original cost of the property according to the following depreciation schedule. The percentage shown for the first year shall be the percentage of the original cost used for January first of the year

following the year of acquisition of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Recovery Period in Years					
	3	5	7	10	15	20
1	75.00	85.00	89.29	92.50	95.00	96.25
2	37.50	59.50	70.16	78.62	85.50	89.03
3	12.50	41.65	55.13	66.83	76.95	82.35
4	5.00	24.99	42.88	56.81	69.25	76.18
5		10.00	30.63	48.07	62.32	70.46
6			18.38	39.33	56.09	65.18
7			10.00	30.59	50.19	60.29
8				21.85	44.29	55.77
9				15.00	38.38	51.31
10					32.48	46.85
11					26.57	42.38
12					20.67	37.92
13					15.00	33.46
14						29.00
15						24.54
16						20.08
17						20.00

Depreciable tangible personal property in all recovery periods shall continue in subsequent years to have the depreciation factor last listed in the appropriate column so long as it is owned or held by the taxpayer. The state tax commission shall study and analyze the values established by this method of assessment and in every odd-numbered year make recommendations to the joint committee on tax policy pertaining to any changes in this methodology, if any, that are warranted.

4. Such estimate of value determined under this section shall be presumed to be correct for the purpose of determining the true value in money of the depreciable tangible personal property, but such estimation may be disproved by substantial and persuasive evidence of the true value in money under any method determined by the state tax commission to be correct, including, but not limited to, an appraisal of the tangible personal property specifically utilizing generally accepted appraisal techniques, and contained in a narrative appraisal report in accordance with the Uniform Standards of Professional Appraisal Practice or by proof of economic or functional obsolescence or evidence of excessive physical deterioration. For purposes of appeal of the provisions of this section, the salvage or scrap value of depreciable tangible personal property may only be considered if the property is not in use as of the assessment date.

5. This section shall not apply to business personal property placed in service before January 2, 2006.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wilson (119) offered **House Amendment No. 1 to House Amendment No. 17.**

*House Amendment No. 1
to
House Amendment No. 17*

AMEND House Amendment No. 17 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 11, Line 17, by inserting after the number “**137.078**,” the following:

“the property of rural electric cooperatives pursuant to chapter 394, RSMo,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (119), **House Amendment No. 1 to House Amendment No. 17** was adopted.

On motion of Representative Sutherland, **House Amendment No. 17, as amended**, was adopted.

Representative Dethrow offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 9, Section 52.317, by deleting said section; and

Further amend said bill, Page 99, Section 4, Line 60, by inserting after said line the following:

“Section 5. For one-time expenditures directly attributable to any department, office, institution, commission, or county court the county commission may budget such expenses in a common fund or account so that any such expenditures separately budgeted does not appear in any specific department, county office, institution, commission, or court budget.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (118) offered **House Amendment No. 1 to House Amendment No. 18**.

*House Amendment No. 1
to
House Amendment No. 18*

AMEND House Amendment No. 18 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Line 2, by striking “by deleting said section” and inserting in lieu thereof the following:

Line 1, by inserting “**1.**” after “52.317.”; and

Further amend said section and page, Lines 2-3, by deleting the words “**excluding capital improvements and equipment purchases**”; and

Further amend said House Amendment, Lines 4-8, by deleting said lines and inserting in lieu thereof the following:

Further amend said section and page, Line 16, by inserting after all of said lines the following:

“2. For one-time expenditures directly attributable to any department, office, institution, commission, or county court the county commission may budget such expenses in a common fund or account so that any such expenditures separately budgeted does not appear in any specific department, county office, institution, commission, or court budget.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 1 to House Amendment No. 18** was adopted.

On motion of Representative Dethrow, **House Amendment No. 18, as amended**, was adopted.

Representative Smith (118) offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 11, Section 54.320, Line 32, by inserting after the word "percent" the following:

"for the first four million dollars, two and one-half percent on four million and one dollars to seven million dollars, two percent on seven million and one dollars to ten million dollars, one and one-half percent on ten million and one dollars to thirteen million dollars, one percent on thirteen million and one dollars to seventeen million dollars, and three-fourths of one percent on seventeen million and one dollars and over,".

On motion of Representative Smith (118), **House Amendment No. 19** was adopted.

Representative Rupp offered **House Amendment No. 20**.

House Amendment No. 20

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 14, Section 56.631, Line 3, by inserting before the word "may" the following:

", except for any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants,"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rupp, **House Amendment No. 20** was adopted.

Representative Smith (118) offered **House Amendment No. 21**.

House Amendment No. 21

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 11, Section 54.320, Line 39, deleting the word "may" and inserting in lieu thereof the word "shall"; and

Further amend said bill, Page 12, Section 54.320, Line 73, by inserting at the end of said bill the following:

"4. For the performance of duties provided for in Section 54.280 and this section, the collector-treasurer in each county having a township organization shall receive additional compensation in an annual sum of five thousand dollars, to be paid from the county treasury in twelve equal monthly installments. Notwithstanding any other provisions of the law to the contrary, the compensation authorized in this subsection shall be in addition to all other compensation provided by law."

Representative Deeken offered **House Amendment No. 1 to House Amendment No. 21**.

House Amendment No. 1
to
House Amendment No. 21

AMEND House Amendment No. 21 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Section 54.320, Line 7, by inserting after the word “**collector-treasurer**” the words “**and county clerk**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Deeken moved that **House Amendment No. 1 to House Amendment No. 21** be adopted.

Which motion was defeated.

On motion of Representative Smith (118), **House Amendment No. 21** was adopted.

Representative Nolte offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 44.090, Page 4, Line 59, by inserting after all of said line the following:

“50.333. 1. There shall be a salary commission in every nonchartered county.

2. The clerk **or court administrator** of the circuit court of the judicial circuit in which such county is located shall set a date, time and place for the salary commission meeting and serve as temporary chairman of the salary commission until the members of the commission elect a chairman from their number. Upon written request of a majority of the salary commission members the clerk **or court administrator** of the circuit court shall forthwith set the earliest date possible for a meeting of the salary commission. The circuit clerk **or court administrator** shall give notice of the time and place of any meeting of the salary commission. Such notice shall be published in a newspaper of general circulation in such county at least five days prior to such meeting. Such notice shall contain a general description of the business to be discussed at such meeting.

3. The members of the salary commission shall be:

- (1) The recorder of deeds if the recorder's office is separate from that of the circuit clerk;
- (2) The county clerk;
- (3) The prosecuting attorney;
- (4) The sheriff;
- (5) The county commissioners;
- (6) The collector or treasurer ex officio collector;
- (7) The treasurer or treasurer ex officio collector;
- (8) The assessor;
- (9) The auditor;
- (10) The public administrator; and
- (11) The coroner.

Members of the salary commission shall receive no additional compensation for their services as members of the salary commission. A majority of members shall constitute a quorum.

4. Notwithstanding the provisions of sections 610.021 and 610.022, RSMo, all meetings of a county salary commission shall be open meetings and all votes taken at such meetings shall be open records. Any vote taken at any meeting of the salary commission shall be taken by recorded yeas and nays.

5. In every county, the salary commission shall meet at least once before November thirtieth of each odd-numbered year. The salary commission may meet as many times as it deems necessary and may meet after November thirtieth and prior to December fifteenth of any odd-numbered year if the commission has met at least once prior to

November thirtieth of that year. At any meeting of the salary commission, the members shall elect a chairman from their number. The county clerk shall present a report on the financial condition of the county to the commission once the chairman is elected, and shall keep the minutes of the meeting.

6. For purposes of this section, the 1988 base compensation is the compensation paid on September 1, 1987, plus the same percentage increase paid or allowed, whichever is greater, to the presiding commissioner or the sheriff, whichever is greater, of that county for the year beginning January 1, 1988. Such increase shall be expressed as a percentage of the difference between the maximum allowable compensation and the compensation paid on September 1, 1987. At its meeting in 1987 and at any meeting held in 1988, the salary commission shall determine the compensation to be paid to every county officer holding office on January 1, 1988. The salary commission shall establish the compensation for each office at an amount not greater than that set by law as the maximum compensation. If the salary commission votes to increase compensation, but not to pay the maximum amount authorized by law for any officer or office, then the increase in compensation shall be the same percentage increase for all officers and offices and shall be expressed as a percentage of the difference between the maximum allowable compensation and the compensation being received at the time of the vote. If two-thirds of the members of the salary commission vote to decrease the compensation being received at the time of the vote below that compensation, all officers shall receive the same percentage decrease. The commission may vote not to increase or decrease the compensation and that compensation shall continue to be the salary of such offices and officers during the subsequent term of office.

7. For the year 1989 and every second year thereafter, the salary commission shall meet in every county as many times as it deems necessary on or prior to November thirtieth of any such year for the purpose of determining the amount of compensation to be paid to county officials. For each year in which the commission meets, the members shall elect a chairman from their number. The county clerk shall present a report on the financial condition of the county to the commission once the chairman is elected, and shall keep minutes of the meeting. The salary commission shall then consider the compensation to be paid for the next term of office for each county officer to be elected at their next general election. If the commission votes not to increase or decrease the compensation, the salary being paid during the term in which the vote was taken shall continue as the salary of such offices and officers during the subsequent term of office. If the salary commission votes to increase the compensation, all officers or offices whose compensation is being considered by the commission at that time, shall receive the same percentage of the maximum allowable compensation. However, for any county in which all offices' and officers' salaries have been set at one hundred percent of the maximum allowable compensation, the commission may vote to increase the compensation of all offices except that of full-time prosecuting attorneys at that or any subsequent meeting of the salary commission without regard to any law or maximum limitation established by law. Such increase shall be expressed as a percentage of the compensation being paid during the term of office when the vote is taken, and each officer or office whose compensation is being established by the salary commission at that time shall receive the same percentage increase over the compensation being paid for that office during the term when the vote is taken. This increase shall be in addition to any increase mandated by an official's salary schedule because of changes in assessed valuation during the current term. If the salary commission votes to decrease the compensation, a vote of two-thirds or more of all the members of the salary commission shall be required before the salary or other compensation of any county office shall be decreased below the compensation being paid for the particular office on the date the salary commission votes, and all officers and offices shall receive the same percentage decrease.

8. The salary commission shall issue, not later than December fifteenth of any year in which it meets, a report of compensation to be paid to each officer and the compensation so set shall be paid beginning with the start of the subsequent term of office of each officer. The report of compensation shall be certified to the clerk of the county commission for the county and shall be in substantially the following form:

The salary commission for County hereby certifies that it has met pursuant to law to establish compensation for county officers to be paid to such officers during the next term of office for the officers affected. The salary commission reports that there shall be (no increase in compensation) (an increase of percent) (a decrease of percent) (county officer's salaries set at percent of the maximum allowable compensation). Salaries shall be adjusted each year on the official's year of incumbency for any change in the last completed assessment that would affect the maximum allowable compensation for that office.

9. For the meeting in 1989 and every meeting thereafter, in the event a salary commission in any county fails, neglects or refuses to meet as provided in this section, or in the event a majority of the salary commission is unable to reach an agreement and so reports or fails to certify a salary report to the clerk of the county commission by December fifteenth of any year in which a report is required to be certified by this section, then the compensation being paid to each affected office or officer on such date shall continue to be the compensation paid to the affected office or officer during the succeeding term of office.

10. Other provisions of law notwithstanding, in every instance where an officer or employee of any county is paid a mileage allowance or reimbursement, the county commission shall allow or reimburse such officers or employees out of the county treasury at the highest rate paid to any county officer for each mile actually and necessarily traveled in the performance of their official duties. The county commission of any county may elect to pay a mileage allowance for any county commissioner for travel going to and returning from the place of holding commission meetings and for all other necessary travel on official county business in the personal motor vehicle of the commissioner presenting the claim. The governing body of any county of the first classification not having a charter form of government may provide by order for the payment of mileage expenses of elected and appointed county officials by payment of a certain amount monthly which would reflect the average monthly mileage expenses of such officer based on the amount allowed pursuant to state law for the payment of mileage for state employees. Any order entered for such purpose shall not be construed as salary, wages or other compensation for services rendered.

11. The term "maximum allowable compensation" as used in this section means the highest compensation which may be paid to the specified officer or office in the particular county based on the salary schedule established by law for the specified officer or office. If the salary commission at its meeting in 1987 voted for one hundred percent of the maximum allowable compensation and does not change such vote at its meeting held within thirty days after May 13, 1988, as provided in subsection 6 of this section, the one hundred percent shall be calculated on the basis of the total allowable compensation permitted after May 13, 1988.

12. At the salary commission meeting which establishes the percentage rate to be applied to county officers during the next term of office, the salary commission may authorize the further adjustment of such officers' compensation as a cost-of-living component and effective January first of each year, the compensation for county officers may be adjusted by the county commission, and if the adjustment of compensation is authorized, the percentage increase shall be the same for all county officers, not to exceed the percentage increase given to the other county employees. The compensation for all county officers may be set as a group, although the change in compensation will not become effective until the next term of office for each officer.

13. At the salary commission meeting in 1997 which establishes the salaries for those officers to be elected at the general election in 1998, the salary commission of each noncharter county may provide salary increases for associate county commissioners elected in 1996. This one-time increase is necessitated by the change from two- to four-year terms for associate commissioners pursuant to house bill 256, passed by the first regular session of the eighty-eighth general assembly in 1995."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 22** was adopted.

Representative Bruns offered **House Amendment No. 23**.

House Amendment No. 23

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 4, Page 99, Line 60, by inserting after all of said line the following:

"Section 5. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state in Cole County. The property to be conveyed is more particularly described as follows:

Part of Inlot No. 566, in the City of Jefferson, Missouri, more particularly described as follows: Beginning on the southerly line of said Inlot, at a point 35 feet easterly from the southwesterly corner thereof; thence easterly along the said southerly line, 32 feet; thence northerly parallel with Mulberry Street, 86 feet; thence westerly parallel with the southerly line of said Inlot, 32 feet; thence southerly parallel with Mulberry Street, 86 feet, to the point of beginning.

ALSO: Part of Inlots Nos. 566 and 567, in the City of Jefferson, Missouri, more particularly described as follows:

From the southwesterly corner of said Inlot No. 566; thence easterly along the southerly line thereof, 67 feet, to the southeasterly corner of a tract conveyed to Joseph R. Kroeger and wife, by deed of record in Book 172, page 693, Cole County Recorder's Office, and the beginning point of this description; thence northerly along the easterly line of the said Kroeger tract, 86 feet, to the northeasterly corner thereof; thence easterly parallel with the southerly line of Inlots Nos. 566 and 567, 51 feet; thence southerly parallel with the easterly line of the said Kroeger tract, 86 feet, to the southerly line of Inlot No. 567; thence westerly along the southerly line of Inlots Nos. 567 and 566, 51 feet, to the beginning point of this description.

40 feet off of the easterly side of Inlot No. 565 in the City of Jefferson, Missouri, and more particularly described as follows:

Beginning at the northeasterly corner of said Inlot 565 on McCarty Street, thence running westerly along McCarty Street 40 feet; thence southerly parallel with Mulberry Street 198 feet 9 inches to the Public Alley; thence easterly along said alley 40 feet; thence northerly along the line between Inlots Nos. 565 and 566, 198 feet 9 inches to the point of beginning.

Part of Inlot 566 in the City of Jefferson, Missouri, described as follows:

Beginning at the northwesterly corner of said inlot; thence easterly along McCarty Street, 35 feet; thence southerly parallel with Mulberry Street, 198 feet 9 inches; thence westerly along alley, 35 feet; thence northerly parallel with Mulberry Street, 198 feet 9 inches to beginning.

The southwesterly part of Inlot No. 565, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at the southwesterly corner of said Inlot No. 565; thence northerly with the westerly line thereof, 45 feet; thence easterly parallel with the southerly line thereof, 64 feet 4 1/2 inches; thence southerly parallel with the westerly line, 45 feet, to the southerly line thereof; thence westerly with the southerly line, 64 feet 4 1/2 inches, to the point of beginning.

Part of Inlot No. 565, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at a point on the westerly line of said Inlot, which said point is 45 feet northerly from the southwesterly corner thereof; thence easterly parallel with McCarty Street, 64 feet 4-1/2 inches; thence northerly parallel with Mulberry Street, 36 feet 10-1/2 inches; thence westerly parallel with McCarty Street; 64 feet 4-1/2 inches, to the westerly line of said Inlot; thence southerly along the westerly line of said Inlot, 36 feet 10-1/2 inches, to the point of beginning.

The northeasterly part of Inlot No. 566, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at the northeasterly corner of said Inlot No. 566; thence westerly along the northerly line thereof, 37 feet 4 inches; thence southerly parallel with the easterly line of said Inlot, 112 feet 9 inches; thence easterly parallel with the southerly line of said Inlot No. 566, 37 feet 4 inches, to the easterly line of said Inlot; thence northerly along said easterly line, 112 feet 9 inches, to the point of beginning.

Also

Part of the westerly half of Inlot No. 567, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at the northwesterly corner of said Inlot No. 567; thence easterly along the northerly line thereof, 52 feet 2-1/4 inches; thence southerly parallel with the westerly line of said Inlot, 198 feet 9 inches, to the southerly line thereof; thence westerly along the said southerly line, 38 feet 6-1/4 inches, more or less, to the southeasterly corner of a tract conveyed to Joseph L. Kroeger and wife, by deed of record in Book 200, page 33, Cole County Recorder's Office; thence northerly along the easterly line thereof, 86 feet, to the northeasterly corner of said tract; thence westerly along the northerly line thereof, 13 feet 8 inches, more or less, to the westerly line of said Inlot No. 567; thence northerly along the said westerly line, 112 feet 9 inches, to the point of beginning.

Part of Inlot 566 in the City of Jefferson, Missouri, described as follows:

Beginning on the northerly line of said Inlot at a point which is 35 feet easterly of the northwest corner thereof, thence easterly along said northerly line 32 feet; thence southerly parallel with Mulberry Street 112 feet 9 inches; thence westerly parallel with the northerly line of said Inlot 32 feet; thence northerly 112 feet 9 inches to point of beginning.

Part of Inlot No. 567, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning on the northerly line of said Inlot No. 567, a distance of 12 feet 2 1/4 inches westerly from the northeasterly corner thereof; thence westerly along said northerly line, a distance of 40 feet; thence southerly parallel with the easterly line of said Inlot, a distance of 92 feet 3 inches, to the northerly line of a private alley; thence easterly along said northerly line of said alley and parallel with the northerly line of said Inlot, a distance of 40 feet; thence northerly parallel with the easterly line of said Inlot, a distance of 92 feet 3 inches, to the point of beginning.

Also the use of a 10 foot private alley touching upon and immediately adjacent to the southerly boundary line of the above described tract and running to the easterly line of Inlot No. 568.

Part of Inlots Nos. 567 and 568, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning on the northerly line of Inlot No. 568, 65 feet westerly from the northeasterly corner of said Inlot; thence westerly along the northerly line of Inlots Nos. 568 and 567, 51 feet 6-3/4 inches; thence southerly parallel with the westerly line of Inlot No. 568, 92 feet 3 inches, to the northerly line of a private alley; thence easterly along the northerly line of said alley and parallel with the northerly line of Inlots Nos. 567 and 568, 51 feet 6-3/4 inches; thence northerly parallel with the easterly line of said Inlot No. 568, 92 feet 3 inches, to the point of beginning.

Also the use of a ten foot private alley touching upon and immediately adjacent to the southerly boundary line of the above described tract and running to the easterly boundary line of Inlot No. 568.

Part of Inlot No. 568, in the City of Jefferson, Missouri, more particularly described as follows:

Beginning at the northeasterly corner of Inlot No. 568; thence westerly along the northerly line thereof, 65 feet; thence southerly parallel with the easterly line of said Inlot, 92 feet 3 inches; thence easterly parallel with the northerly line of said Inlot 65 feet, to the easterly line thereof; thence northerly along said easterly line, a distance of 92 feet 3 inches, to the point of beginning.

ALSO: A private alley, subject to existing easements, more particularly described as follows:

Beginning at a point on the easterly line of said Inlot No. 568, in the City of Jefferson, Missouri, said point being 96 feet 6 inches northerly of the southeasterly corner of said Inlot; thence northerly along the said easterly line, 10 feet; thence westerly parallel with McCarty Street, 156 feet 6-3/4 inches, to a point 52 feet 2-1/4 inches westerly of the easterly line of Inlot No. 567; thence southerly parallel with Broadway Street, 106 feet 6 inches, to the southerly line of Inlot No. 567; thence easterly along the southerly line of said Inlot, 10 feet; thence northerly parallel with Broadway Street, 96 feet 6 inches; thence easterly parallel with McCarty Street, 146 feet 6 3/4 inches, to the point of beginning; per Decree of the Circuit Court of Cole County, Missouri, entered March 7, 1925.

Part of Inlot No. 565 in the City of Jefferson, Missouri, described as follows:

Beginning at the northwesterly corner of said inlot; thence easterly along the northerly line thereof 64 feet 4-1/2 inches; thence southerly parallel with the westerly line of said inlot 80 feet; thence westerly parallel with the northerly line of said inlot 64 feet 4-1/2 inches; thence northerly along westerly line of said inlot 80 feet to the point of beginning.

Part of Inlot 565 in the City of Jefferson, Missouri, and more particularly described as follows:

Beginning at a point on the westerly line of said Inlot 565 which is 80 feet southerly from the northwesterly corner of said Inlot, thence southerly along the westerly line thereof 36 feet 10-1/2 inches, thence easterly parallel with McCarty Street, 64 feet 4-1/2 inches, thence northerly

parallel with Mulberry Street 36 feet 10-1/2 inches, thence westerly parallel with McCarty Street 64 feet 4-1/2 inches to the point of beginning.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 23** was adopted.

Representative Cooper (158) offered **House Amendment No. 24**.

House Amendment No. 24

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 15, Section 56.660, Line 11, by inserting after said language the following:

“58.451. 1. When any person, in any county in which a coroner is required by section 58.010, dies and there is reasonable ground to believe that such person died as a result of:

- (1) Violence by homicide, suicide, or accident;
- (2) Criminal abortions, including those self-induced;
- (3) Some unforeseen sudden occurrence and the deceased had not been attended by a physician during the thirty-six-hour period preceding the death;
- (4) In any unusual or suspicious manner;
- (5) Any injury or illness while in the custody of the law or while an inmate in a public institution; the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the coroner of the known facts concerning the time, place, manner and circumstances of the death. Immediately upon receipt of notification, the coroner or [his] deputy **coroner** shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death, including whether by the act of man, and the manner of death. [He] **The coroner or deputy coroner** may take the names and addresses of witnesses to the death and shall file this information in [his] **the coroner's** office. The coroner or [his] deputy **coroner** shall take possession of all property of value found on the body, making exact inventory of such property on [his] **the** report and shall direct the return of such property to the person entitled to its custody or possession. The coroner or [his] deputy **coroner** shall take possession of any object or article which, in [his] **the coroner or the deputy coroner's** opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall contact the county coroner. Immediately upon receipt of such notification, the coroner or the coroner's deputy shall make the determination if further investigation is necessary, based on information provided by the individual contacting the coroner, and immediately advise such individual of the coroner's intentions.

3. Upon taking charge of the dead body and before moving the body the coroner shall notify the police department of any city in which the dead body is found, or if the dead body is found in the unincorporated area of a county governed by the provisions of sections 58.451 to 58.457, the coroner shall notify the county sheriff [and] **or** the highway patrol and cause the body to remain unmoved until the police department, sheriff or the highway patrol has inspected the body and the surrounding circumstances and carefully noted the appearance, the condition and position of the body and recorded every fact and circumstance tending to show the cause and manner of death, with the names and addresses of all known witnesses, and shall subscribe the same and make such record a part of [his] **the coroner's** report.

4. In any case of sudden, violent or suspicious death after which the body was buried without any investigation or autopsy, the coroner, upon being advised of such facts, may at [his] **the coroner's** own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

5. The coroner shall certify the cause of death in any case under [his] **the coroner's** charge when a physician is unavailable to sign a certificate of death.

6. When the cause of death is established by the coroner, [he] **the coroner** shall file a copy of [his] **the** findings in [his] **the coroner's** office within thirty days.

7. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner determines that a further examination is necessary in the public interest, the coroner on [his] **the coroner's** own authority may make or cause to be made an autopsy on the body. The coroner may on [his] **the coroner's** own authority employ the services of a pathologist, chemist, or other expert to aid in the examination of the body or of substances supposed to have caused or contributed to death, and if the pathologist, chemist, or other expert is not already employed by the city or county for the discharge of such services, [he] **the pathologist, chemist, or other expert** shall, upon written authorization of the coroner, be allowed reasonable compensation, payable by the city or county, in the manner provided in section 58.530. The coroner shall, at the time of the autopsy, record or cause to be recorded each fact and circumstance tending to show the condition of the body and the cause and manner of death.

8. If on view of the dead body and after personal inquiry into the cause and manner of death, the coroner considers a further inquiry and examination necessary in the public interest, [he] **the coroner** shall make out [his] **the coroner's** warrant directed to the sheriff of the city or county requiring [him] **the sheriff** forthwith to summon six good and lawful citizens of the county to appear before the coroner, at the time and place expressed in the warrant, and to inquire how and by whom the deceased [came to his death] **died**.

9. (1) When a person is being transferred from one county to another county **or into the state of Missouri** for medical treatment and such person dies while being transferred, **or dies while being treated in the emergency room of the receiving facility** the [county] **place** from which the person is first removed shall be considered the place of death and the county coroner **or medical examiner** of the county **or state** from which the person was being transferred shall be responsible for the **Missouri** certificate of death and for investigating the cause and manner of the death. [If]

(2) The coroner or medical examiner in the county in which the person [died believes that further investigation is warranted and a postmortem examination is needed, such coroner or medical examiner shall have the right to further investigate and perform the postmortem examination] **is determined to be dead may with authorization of the coroner or medical examiner from the transferring county or state, investigate and conduct postmortem examinations** at the expense of [such] **the coroner or medical examiner [and shall be] from the transferring county or state. The coroner or medical examiner from the transferring county or state shall be** responsible for the **Missouri** certificate of death and for investigating the cause and manner of the death. [Such]

(3) **The emergency room staff or the coroner or medical examiner from the county where a person is determined to be dead** shall immediately notify the coroner or medical examiner of the county **or state** from which the person was being transferred of the death of such person [and after an investigation is completed shall notify such coroner or medical examiner of his findings], **and shall make available information and records necessary for investigation of the death.**

(4) If a person does not die while being transferred and is institutionalized **as a regularly admitted patient** after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person [dies] **is determined to be dead** shall immediately notify the coroner or medical examiner of the county **or state** from which such person was transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death.

(5) **In the case of death by homicide, suicide, accident, criminal abortion including those that are self-induced, child fatality, or by any unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the county or state of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death.**

(6) **There shall not be any statute of limitations or time limits on the cause of death when death is the final result or determined to be caused by homicide, suicide, accident, child fatality, criminal abortion including those self-induced, or by any unusual or suspicious manner. The place of death shall be the place in which the person is determined to be dead. The final investigation of death in determining the cause and manner of death shall revert to the county or state of origin, and the coroner or medical examiner of such county or state shall be responsible for the Missouri certificate of death.**

10. Except as provided in subsection 9 of this section, if a person dies in one county and [his] **the** body is subsequently transferred to another county **or into the state of Missouri, for burial or other reasons**, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

11. In performing [his] **the** duties **of the office**, the coroner or medical examiner shall make reasonable efforts to accommodate organ **and tissue** donation.

58.720. 1. When any person dies within a county having a medical examiner as a result of:

- (1) Violence by homicide, suicide, or accident;
- (2) Thermal, chemical, electrical, or radiation injury;
- (3) Criminal abortions, including those self-induced;
- (4) Disease thought to be of a hazardous and contagious nature or which might constitute a threat to public

health; or when any person dies:

- (a) Suddenly when in apparent good health;
- (b) When unattended by a physician, chiropractor, or an accredited Christian Science practitioner, during the period of thirty-six hours immediately preceding his death;
- (c) While in the custody of the law, or while an inmate in a public institution;
- (d) In any unusual or suspicious manner;

the police, sheriff, law enforcement officer or official, or any person having knowledge of such a death shall immediately notify the office of the medical examiner of the known facts concerning the time, place, manner and circumstances of the death.

Immediately upon receipt of notification, the medical examiner or his designated assistant shall take charge of the dead body and fully investigate the essential facts concerning the medical causes of death. He may take the names and addresses of witnesses to the death and shall file this information in his office. The medical examiner or his designated assistant shall take possession of all property of value found on the body, making exact inventory thereof on his report and shall direct the return of such property to the person entitled to its custody or possession. The medical examiner or his designated assistant examiner shall take possession of any object or article which, in his opinion, may be useful in establishing the cause of death, and deliver it to the prosecuting attorney of the county.

2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall contact the county medical examiner. Immediately upon receipt of such notification, the medical examiner or the medical examiner's deputy shall make a determination if further investigation is necessary, based on information provided by the individual contacting the medical examiner, and immediately advise such individual of the medical examiner's intentions.

3. In any case of sudden, violent or suspicious death after which the body was buried without any investigation or autopsy, the medical examiner, upon being advised of such facts, may at his own discretion request that the prosecuting attorney apply for a court order requiring the body to be exhumed.

4. The medical examiner shall certify the cause of death in any case where death occurred without medical attendance or where an attending physician refuses to sign a certificate of death, and may sign a certificate of death in the case of any death.

5. When the cause of death is established by the medical examiner, he shall file a copy of his findings in his office within thirty days after notification of the death.

6. (1) When a person is being transferred from one county to another county **or into the state of Missouri** for medical treatment and such person dies while being transferred, **or dies while being treated in the emergency room of the receiving facility**, the [county] place from which the person is first removed shall be considered the place of death and the **county coroner or** medical examiner of the county **or state** from which the person was being transferred shall be responsible for the **Missouri** certificate of death and for investigating the cause and manner of the death. [If]

(2) The coroner or medical examiner in the county in which the person [died believes that further investigation is warranted and a postmortem examination is needed, such coroner or medical examiner shall have the right to further investigate and perform the postmortem examination] **is determined to be dead may, with authorization of the coroner or medical examiner from the transferring county or state, investigate and conduct postmortem examinations** at the expense of [such] the coroner or medical examiner [and shall be] **from the transferring county. The coroner or medical examiner from the transferring county or state shall be** responsible for the **Missouri** certificate of death and for investigating the cause and manner of the death. [Such]

(3) **The emergency room staff or the** coroner or medical examiner **from the county where a person is determined to be dead** shall immediately notify the coroner or medical examiner of the county **or state** from which the person was being transferred of the death of such person [and after an investigation is completed shall notify such coroner or medical examiner of his findings], **and shall make available information and records necessary for investigation of the death.**

(4) If a person does not die while being transferred and is institutionalized **as a regularly admitted patient** after such transfer and subsequently dies while in such institution, the coroner or medical examiner of the county in which the person [dies] **is determined to be dead** shall immediately notify the coroner or medical examiner of the county **or state** from which such person was transferred of the death of such person. In such cases, the county in which the deceased was institutionalized shall be considered the place of death.

(5) In the case of death by homicide, suicide, accident, criminal abortion including those that are self-induced, child fatality, or by any unusual or suspicious manner, the investigation of the cause and manner of death shall revert to the county or state of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death.

(6) There shall not be any statute of limitations or time limits on the cause of death when death is the final result or determined to be caused by homicide, suicide, accident, criminal abortion including those self-induced, child fatality, or by any unusual or suspicious manner. The place of death shall be the place in which the person is determined to be dead, but the final investigation of death determining the cause and manner of death shall revert to the county or state of origin, and this coroner or medical examiner shall be responsible for the Missouri certificate of death.

7. Except as provided in subsection 6 of this section, if a person dies in one county and [his] the body is subsequently transferred to another county or into the state of Missouri, for burial or other reasons, the county coroner or medical examiner where the death occurred shall be responsible for the certificate of death and for investigating the cause and manner of the death.

8. In performing [his] the duties, the coroner or medical examiner shall make reasonable efforts to accommodate organ and tissue donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (158), **House Amendment No. 24** was adopted.

Representative Kuessner offered **House Amendment No. 25**.

House Amendment No. 25

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 99, Section 4, Line 60, by inserting after all of said line the following:

"Section 5. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in property owned by the state at the Fort Davidson Historic Site to the City of Pilot Knob. The property to be conveyed is more particularly described as follows:

A tract of land situated in the City of Pilot Knob, County of Iron and the State of Missouri, lying in Part of Section 30, Township 34 North, Range 4 East of the Fifth Principal Meridian, described as follows, to wit: Commencing at the common corner of Sections 29, 30, 31 and 32, Township 34 North, Range 4 East, described on Survey Document Number 600-64159 as shown on a survey by PLS-2550 dated January 20, 2000 and filed with the Missouri Land Survey in Document Number 750-26834; thence along the line between Sections 29 and 30, North 00°45'46" East, 982.52 feet to an iron pin with cap by said PLS 2550; thence leaving said section line, West, 768.18 feet to an iron pin with cap by said PLS 2550 on the East right-of-way line of a County Road; thence along said County Road, North 30°50'55" West, 596.36 feet to the POINT OF BEGINNING of the tract herein described; thence continuing along said East right-of-way line, North 30°50'55" West, 6.84 feet to an iron pin with cap by said PLS 2550; thence leaving said East right-of-way line, North 07°30'05" West, 132.59 feet to a drill rod; thence North 24°07'24" West, 467.55 feet to an iron pin with cap by said PLS 2550; thence North 37°10'36" East, 265.27 feet to a drill rod; thence South 25°47'23" East, 332.36 feet to an iron pin; thence South 22°56'24" East, 642.56 feet to an iron pin; thence South 86°24'35" West, 573.80 feet to the point of beginning. Containing 9.07 Acres, more or less and being part of a larger parcel described in Book 359 at Page 756 of the Land Records of Iron County, Missouri.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kuessner, **House Amendment No. 25** was adopted.

Representative St. Onge offered **House Amendment No. 26**.

House Amendment No. 26

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 67.1305, Page 28, Line 183, by inserting immediately after said line the following:

“67.1754. The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; **in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 26** was adopted.

Representative Wagner offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 15, Section 56.660, Line 11, by inserting immediately after said line the following:

“59.005. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Document" or "instrument", any writing or drawing presented to the recorder of deeds for recording;
(2) "File", "filed" or "filing", the act of delivering or transmitting a document to the recorder of deeds for recording into the official public record;

(3) "Grantor" or "grantee", the names of the parties involved in the transaction used to create the recording index;

(4) "Legal description", includes but is not limited to the lot or parts thereof, block, plat or replat number, plat book and page and the name of any recorded plat or a metes and bounds description with acreage, if stated in the description, or the quarter/quarter section, and the section, township and range of property, or any combination thereof. The address of the property shall not be accepted as legal description;

(5) "Legible", all text, seals, drawings, signatures or other content within the document must be capable of producing a clear and readable image from record, regardless of the process used for recording;

(6) "Page", any writing, printing or drawing printed on one side only covering all or part of the page, not larger than eight and one-half inches in width and eleven inches in height for pages other than a plat or survey;

(7) "Record", "recorded" or "recording", the recording of a document into the official public record, regardless of the process used;

(8) "Recorder of deeds", the separate recorder of deeds in those counties where separate from the circuit clerk and the circuit clerk and ex officio recorder of deeds in those counties where the offices are combined.

(9) **"Copying" or "Reproducing" any recorded instrument or document, the act of making a single reproduction in any medium of a recorded document or instrument;**

(10) **"Duplicate" copies, copies requested concurrently with, but in excess of one reproduction in any medium of a recorded instrument or document or collection thereof.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer offered **House Substitute Amendment No. 1 for House Amendment No. 27.**

*House Substitute Amendment No. 1
for
House Amendment No. 27*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 15, Section 56.660, Line 11, by inserting immediately after said line the following:

"59.005. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) "Document" or "instrument", any writing or drawing presented to the recorder of deeds for recording;
(2) "File", "filed" or "filing", the act of delivering or transmitting a document to the recorder of deeds for recording into the official public record;

(3) "Grantor" or "grantee", the names of the parties involved in the transaction used to create the recording index;

(4) "Legal description", includes but is not limited to the lot or parts thereof, block, plat or replat number, plat book and page and the name of any recorded plat or a metes and bounds description with acreage, if stated in the description, or the quarter/quarter section, and the section, township and range of property, or any combination thereof. The address of the property shall not be accepted as legal description;

(5) "Legible", all text, seals, drawings, signatures or other content within the document must be capable of producing a clear and readable image from record, regardless of the process used for recording;

(6) "Page", any writing, printing or drawing printed on one side only covering all or part of the page, not larger than eight and one-half inches in width and eleven inches in height for pages other than a plat or survey;

(7) "Record", "recorded" or "recording", the recording of a document into the official public record, regardless of the process used;

(8) "Recorder of deeds", the separate recorder of deeds in those counties where separate from the circuit clerk and the circuit clerk and ex officio recorder of deeds in those counties where the offices are combined.

(9) **"Copying" or "Reproducing" any recorded instrument or document, the act of making a single reproduction in any medium of a recorded document or instrument;**

(10) **"Duplicate" copies, copies requested concurrently with, but in excess of one reproduction in any medium of a recorded instrument or document or collection thereof.**"; and

Further amend said House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 473.771, Page 94, Line 55, by inserting after said line the following:

483.537. The clerk of any state court who, by deputy or otherwise, takes or processes applications for passports or their renewal shall account for the fees charged for such service [, and remit eighty percent of the same on the last day of each month to the state, and twenty percent to the county where the application was taken] **and for the expenditure of such fee in an annual report made to the presiding judge and the office of the state courts administrator. Such fees shall be only for the maintenance of the courthouse or to fund operations of the circuit court.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Substitute Amendment No. 1 for House Amendment No. 27** was adopted.

Representative Wilson (130) offered **House Amendment No. 28.**

House Amendment No. 28

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Section 233.295, Page 79, Line 60, by inserting after all of said line the following:

“7. Notwithstanding other provisions of this section to the contrary, in any county, any petition to disincorporate a road district organized under sections 233.170 to 233.315 shall be presented to the county commission or similar authority. The petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the county commission that the public good will be advanced by the disincorporation after providing notice and a hearing as required in this section, then the county commission shall disincorporate the road district. This subsection shall not apply to any road district located in two counties.

8. Notwithstanding other provisions of this section to the contrary, in any county, a petition to disincorporate a road district located in two counties organized under sections 233.170 to 233.315 shall be presented to the county commission or similar authority in each county in which the road district is located. Each petition shall be signed by the lesser of fifty or a majority of the registered voters residing within the district and county, shall state the name of the district, and shall request the disincorporation of the district. If a petition is submitted as authorized in this section, and it is the opinion of the county commission in each county in which the road district is located that the public good will be advanced by the disincorporation after providing notice and a hearing as required in this section, then the county commission in each county in which the road district is located shall disincorporate the road district. A road district located in two counties shall not be disincorporated until it is disincorporated in each county in which it is located.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (130), **House Amendment No. 28** was adopted.

Representative Rupp offered **House Amendment No. 29.**

House Amendment No. 29

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 38, Section 99.1082, Line 62, by inserting after "assessments." the following:

"Provided however, the governing body of any county may, by resolution, exclude any portion of any county-wide sales tax of such county."

On motion of Representative Rupp, **House Amendment No. 29** was adopted.

Representative Bowman offered **House Amendment No. 30.**

House Amendment No. 30

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 55, Section 137.071, Line 24, by inserting after all of said line the following:

"137.102. As used in this section and section 137.104, the following terms shall mean:

(1) **"Homestead"**, a taxpayer-owned and occupied principle dwelling real or personal property, along with appurtenances thereto and personal property thereon and up to five acres of land surrounding it as it is reasonably necessary for use of the dwelling as a home; provided, however, that the dwelling shall have been owned in fee simple by said taxpayer for a continuous period of not less than five years. If the homestead is

located in a multi-unit building, the homestead is the portion of the building actually used as the principle dwelling and its percentage of the value of the common elements and of the value of the property upon which it is built. The percentage is the value of the unit consisting of the homestead compared to the total value of the building exclusive of common elements, if any;

(2) "Household", a person or group of persons living together in a room or group of rooms as a housing unit, but the term does not include persons boarding in or renting a portion of the dwelling;

(3) "Household income", the federal adjusted gross income as defined in Section 62 of the United States Internal Revenue Code, of all members in the household;

(4) "Individual with a disability", a taxpayer with a physical or mental impairment which substantially limits one or more of a person's major life activities, or who is regarded as having such an impairment, or has a record of having such an impairment;

(5) "Tax-deferred property", the property upon which increases in taxes are deferred under this section;

(6) "Taxes" or "property taxes", ad valorem taxes, assessments, fees, and charges entered on the assessment and tax roll.

137.104. 1. Beginning January 1, 2006, any taxpayer sixty-five years of age or older with a household income of seventy thousand dollars or less, or any individual with a disability receiving Social Security income, may elect to defer any increases in taxes on homestead property beyond the total property taxes paid in the previous year, by obtaining a deferral after January first and on or before October fifteenth of the first year in which deferral is first claimed.

2. In order to qualify for tax deferral under this section, the following requirements must be met when the claim is filed and thereafter so long as the payment of taxes by the taxpayer is deferred:

(1) The property must be the homestead of the taxpayer who files the claim for deferral, except for a taxpayer required to be absent from the homestead by reason of health who owns the dwelling jointly with one or more individuals who qualify for the deferral;

(2) The homestead must be located in a county with a charter form of government and with more than one million inhabitants;

(3) There must be no prohibition to the deferral of property taxes contained in any provision of federal law, rule, or regulation applicable to a mortgage, trust deed, land sale contract for which the homestead is security;

(4) The equity interest in the homestead must equal or exceed ten percent of the true value in money of the homestead; and

(5) The taxpayer claiming the deferral must show proof of, and maintain throughout the deferral period, insurance on the homestead in an amount equal to or exceeding the assessed value of the homestead.

3. A taxpayer's claim for deferral under this section shall be filed with the county assessor in writing on a form supplied by the department of revenue and shall:

(1) Describe the homestead;

(2) Recite facts establishing the eligibility for the deferral under the provisions of section 137.102, including facts that establish that the household income of the individual or individuals in the household was, for the calendar year immediately preceding the calendar year in which the claim was filed, seventy thousand dollars or less; or

(3) Have attached any documentary proof required by the director to show that the requirements of this section have been met. A federal income tax return shall be determined as proof of eligibility under this income guideline.

4. The county assessor shall forward each claim filed under this section to the director of revenue, who shall determine if the property is eligible for deferral. If eligibility for deferral of homestead property taxes is established, the director of revenue shall notify the county assessor collector who shall show on the current ad valorem assessment and tax roll which property is tax-deferred property by an entry clearly designating such property as tax-deferred property.

5. The portion of increased taxes due beyond the total base amount of ad valorem property taxes paid in 2005 shall be deferred, and the county assessor or collector shall maintain accounts for each deferred property and shall accrue interest only on the amount of taxes deferred. The interest rate shall be two and one-half percent annually. The director of revenue shall have a lien on the homestead property in the amount of the deferred taxes and interest due.

6. The lien created under this section shall have the same priority as other real property tax liens except that the lien of mortgages, trust deeds, or security interests which are recorded or noted on a certificate of title prior in time to the attachment of the lien for deferred taxes shall be prior to the liens for deferred taxes.

7. Deferred ad valorem taxes and accrued interest shall become due and payable when:

(1) The taxpayer who claimed deferment of collection of property taxes on the homestead dies, or if there was more than one claimant, the survivor of the taxpayer who originally claimed the deferment of collection of property taxes under this section dies;

(2) The property with respect to which deferment of collection of taxes is claimed is sold or otherwise transferred;

(3) The tax-deferred property is no longer the homestead of the taxpayer who claimed the deferral, except in the case of a taxpayer required to be absent from such tax-deferred property by reason of health who owns the dwelling jointly with one or more individuals who qualify for the deferral;

(4) The tax-deferred property is a manufactured structure or floating home which is moved out of the state.

8. Whenever any of the circumstances listed in this subsection occurs, the deferral of taxes for the assessment year in which the circumstance occurs shall continue for such assessment year, and the amounts of deferred property taxes, including accrued interest, for all years shall be due and payable on the date of closing or the date of probate to the director of revenue. If the homestead property is removed from the state, the amount of deferred taxes shall be due and payable five days before the date of removal of the property from the state. All payments of deferred taxes shall be made to the county collector and shall be distributed in accordance with the then-current distribution plan.

9. Subsection 1 of this section shall not apply to payment for real property taxes by financial institutions, as defined in section 381.410, RSMo, who pay tax obligations that they service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of Federal Regulation, as amended.

10. The provisions of this section shall automatically sunset five years after the effective date of this section unless reauthorized by an act of the general assembly."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bowman, **House Amendment No. 30** was adopted.

Representative Roorda offered **House Amendment No. 31**.

House Amendment No. 31

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Pages 88 and 89, Section 321.222, Lines 1 to 37, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Roorda moved that **House Amendment No. 31** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Aull	Baker 25	Baker 123	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Donnelly	Dougherty	Dusenberg
El-Amin	Ervin	Fraser	George	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kraus	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Moore	Oxford

Portwood	Pratt	Robb	Robinson	Roorda
Rucker	Rupp	Salva	Schaaf	Schoemehl
Selby	Shoemyer	Silvey	Skaggs	Smith 14
Spreng	St. Onge	Storch	Sutherland	Threlkeld
Villa	Vogt	Wagner	Walsh	Walton
Wasson	Whorton	Wildberger	Wright-Jones	Young
Zweifel				

NOES: 080

Avery	Bearden	Behnen	Bivins	Black
Byrd	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Faith	Fares	Fisher	Flook
Franz	Goodman	Henke	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kratky	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Phillips	Pollock	Quinn	Rector
Richard	Roark	Ruestman	Sander	Sater
Schad	Schlottach	Schneider	Self	Smith 118
Stefanick	Stevenson	Swinger	Tilley	Viebrock
Wallace	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Yaeger	Mr Speaker

PRESENT: 001

Kuessner

ABSENT WITH LEAVE: 005

Bean	Page	Pearce	Wells	Yates
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VACANCIES: 001

Representative Fares offered **House Amendment No. 32**.

Representative Shoemyer raised a point of order that the distribution of **House Amendment No. 32** was not timely.

The Chair ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin

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Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Mr Speaker	

NOES: 063

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Page	Pearce	Wells	Yates
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VACANCIES: 001

On motion of Representative Johnson (47), **HCS SS SCS SB 210, as amended**, was adopted.

On motion of Representative Johnson (47), **HCS SS SCS SB 210, as amended**, was read the third time and passed by the following vote:

AYES: 110

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bland	Bowman	Boykins	Bringer
Brown 30	Bruns	Burnett	Byrd	Chinn
Cooper 120	Cooper 155	Corcoran	Cunningham 145	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Emery	Faith
Fares	Fisher	Flook	Franz	George
Goodman	Guest	Henke	Hobbs	Hughes
Hunter	Ice	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner

Lager	Liese	Loehner	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Phillips	Pollock	Quinn
Rector	Richard	Robb	Rupp	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Wasson
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Yaeger	Young	Mr Speaker

NOES: 047

Aull	Baker 25	Brooks	Brown 50	Casey
Chappelle-Nadal	Cooper 158	Cunningham 86	Darrough	Donnelly
Dougherty	Dusenberg	El-Amin	Ervin	Fraser
Harris 23	Harris 110	Haywood	Hoskins	Hubbard
Jackson	Johnson 61	Johnson 90	Lampe	Lembke
LeVota	Lipke	Low 39	Meadows	Oxford
Portwood	Pratt	Roark	Robinson	Roorda
Rucker	Ruestman	Salva	Sander	Selby
Storch	Vogt	Walton	Whorton	Wildberger
Wright-Jones	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Page	Pearce	Wells	Yates
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton assumed the Chair.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 40, HB 260, HCS HB 448** and **HCS HB 631** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 40, HB 260, HCS HB 448** and **HCS HB 631** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HCS SB 189, HCS SCS SB 252** and **HCS SCS SB 270** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Bearden resumed the Chair.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 2170 - Rules

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 972 - Fiscal Review (Fiscal Note)

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SS SCR 7 - Job Creation and Economic Development

SCR 15 - Special Committee on General Laws

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 173 - Fiscal Review (Fiscal Note)

HCS SCS SBs 420 & 344 - Fiscal Review (Fiscal Note)

SS SCS SBs 37, 322, 78, 351 & 424 - Crime Prevention and Public Safety

SS SCS SB 144 - Judiciary

SS SB 220 - Local Government

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 665** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 970**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 320**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 342**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SS SB 362**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 43**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 53**, entitled:

An act to amend chapter 227, RSMo, by adding thereto four new sections relating to the designation of certain highways and bridges.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 155**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 243**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 361 and HB 684**, entitled:

An act to repeal sections 488.5050, 650.050, 650.052, and 650.055, RSMo, and to enact in lieu thereof four new sections relating to DNA profiling, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 362**, entitled:

An act to repeal section 610.123, RSMo, section 577.054, as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 843, ninety-second general assembly, second regular session, and section 577.054, as enacted by house bill no. 3, eighty-fifth general assembly, first extraordinary session, and to enact in lieu thereof two new sections relating to expungement petitions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 422**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 445**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 450**, entitled:

An act to repeal sections 311.325 and 311.554, RSMo, and to enact in lieu thereof seventeen new sections relating to wine, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 453**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 456**, entitled:

An act to repeal section 540.031, RSMo, and to enact in lieu thereof one new section relating to duties of grand juries

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 486**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 515**, entitled:

An act to repeal sections 67.1956, 67.1959, 67.1968, and 67.1979, RSMo, and to enact in lieu thereof four new sections relating to tourism community enhancement districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 531**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 567**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 577**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 630**, entitled:

An act to repeal sections 355.716 and 355.871, RSMo, and to enact in lieu thereof two new sections relating to not-for-profit corporations.

With Senate Perfecting Amendment No. 1.

Senate Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 630, Page 2, Section 355.716, Line 13, by striking the word “avoid” and inserting in lieu thereof the following:

“void”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 631**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 638**, entitled:

An act to repeal section 182.707, RSMo, and to enact in lieu thereof one new section relating to qualifications of the chief executive officer of the urban public library district.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 685**, entitled:

An act to authorize the board of governors of Southwest Missouri State University to convey property in Greene and Howell Counties, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 688**, entitled:

An act to repeal section 510.120, RSMo, and to enact in lieu thereof one new section relating to judicial procedures, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 743**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 237**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 237, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 237, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 237;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 237, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Klindt
/s/ John E. Griesheimer
/s/ Timothy P. Green
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Rex Rector
/s/ Ed Emery
/s/ Paul LeVota
/s/ Thomas E. George
/s/ Rodney Schad

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, May 3, 2005.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Margaret Donnelly, District 73, hereby state and affirm that my vote as recorded on Page 1325 of the House Journal for Thursday, April 28, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 2nd day of May 2005.

/s/ Margaret Donnelly
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 2nd day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 3, 2005, 8:30 a.m. Hearing Room 1.

Discussion on prioritizing the list of ideas from committee members regarding the Department of Conservation.

CONFERENCE COMMITTEE NOTICE

Tuesday, May 3, 2005, 9:00 a.m. Hearing Room 3.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Wednesday, May 4, 2005, 9:00 a.m. To be announced.

Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Thursday, May 5, 2005, Senate Lounge upon afternoon adjournment.
Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Friday, May 6, 2005, 9:00 a.m. Senate Lounge.
Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 4, 2005, 8:00 a.m. Hearing Room 3.
Executive session may follow.
Public hearings to be held on: HB 35, SCS SB 481

FISCAL REVIEW

Tuesday, May 3, 2005, 9:00 a.m. Hearing Room 4.
Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Wednesday, May 4, 2005, 9:00 a.m. Hearing Room 4.
Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 4.
Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 6, 2005, 9:00 a.m. Hearing Room 4.
Executive session on any bills or matters referred to the Fiscal Review Committee.

HEALTH CARE POLICY

Wednesday, May 4, 2005, 8:00 a.m. Hearing Room 6.
Executive session.

JUDICIARY

Tuesday, May 3, 2005, Hearing Room 7 upon morning recess.
Executive session may follow.
Public hearings to be held on: HB 557, HB 938, SB 86

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 4, 2005, 12:00 p.m. Hearing Room 1.
Public hearings to be held on: HB 504, HB 550, HB 599

RULES

Tuesday, May 3, 2005, 8:00 a.m. House Lounge.

Executive session may follow. Corrected Notice.

Public hearings to be held on: HCS HB 948, HCS#2 HB 131,
HB 925, HCS HB 859, HCS HB 15, HCS HB 19, HCS HJR 12,
SB 254, HCS SS SCS SBs 74 & 49, HCS SCS SB 500

SPECIAL COMMITTEE ON EDUCATION FUNDING

Wednesday, May 4, 2005, 12:00 p.m. To be announced.

Executive session may follow.

Public hearing to be held on: SS SCS SB 287

HOUSE CALENDAR

SIXTY-SEVENTH DAY, TUESDAY, MAY 3, 2005

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 18 - Lager

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491 - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach

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26 HCS HB 842 & 831 - Robb

27 HB 875 - Moore

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 639, as amended - Hoskins

2 HB 376 - Guest

3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

HOUSE BILLS FOR THIRD READING

1 HB 375 - Nance

2 HCS HB 532, (Fiscal Review 4-19-05) - Spreng

3 HCS HB 665 - Behnen

4 HCS HB 697, (Fiscal Review 4-27-05) - Lembke

5 HB 952, E.C. - Icet

6 HB 880 - Hughes

7 HB 789 - Salva

8 HCS HB 972, (Fiscal Review 5-2-05) - Jetton

9 HCS HB 192, E.C. - Sander

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE BILLS FOR THIRD READING - CONSENT

1 SCS SB 222 - Sutherland

2 SB 298 - Wright-Jones

3 SB 299 - Wright-Jones

4 SCS SB 302 - Cunningham (86)

5 SB 306 - Dethrow

6 HCS SB 307 - Kuessner

7 SB 318 - Cooper (120)

8 SB 347 - Cooper (155)

9 SB 394 - Pearce

10 SCS SB 407 - Lipke

11 SB 453 - St. Onge

12 SB 480 - Kraus

13 HCS SB 490 - Pearce

14 SCS SB 501 - Stefanick

15 SB 507 - Baker (25)

16 SB 516 - Richard

17 SB 518 - Cooper (155)
18 SCS SB 6 - Lager
19 HCS SB 38 - Ruestman
20 SB 122 - Wright (137)
21 SB 162 - Cooper (155)
22 HCS SB 174, E.C. - Bruns
23 HCS SB 177 - Behnen
24 HCS SCS SB 182 - Rector
25 SB 209 - Pearce
26 HCS SB 216 - Goodman
27 SCS SB 227 - Kuessner
28 HCS SCS SB 238 - Faith
29 SCS SB 247 - Bruns
30 SB 265 - Wood
31 SB 288 - Lager
32 SB 304 - Ervin
33 HCS SB 308 - Pollock
34 SB 317 - Smith (118)
35 SCS SB 354 - Schlottach
36 SB 357 - Johnson (47)
37 HCS SB 364, E.C. - Franz
38 HCS SCS SB 372 - Kuessner
39 SCS SB 374 - Zweifel
40 SB 396 - Sutherland
41 HCS SB 401 - Lembke
42 SB 418 - Lipke
43 HCS SB 422 - Yates
44 HCS SCS SB 423 - Lipke
45 HCS SCS SB 450, E.C. - Portwood
46 SCS SB 496 - Kelly
47 SCS SB 502, E.C. - Portwood
48 SB 521, HCA 1 - Cooper (158)

SENATE BILLS FOR THIRD READING

1 HCS SCS SB 70 - Richard
2 SB 367 - Deeken
3 SCS SB 390 - Pratt
4 SB 488, HCA 1 - Robinson
5 SCS SB 170, E.C. - Byrd
6 SB 280 - Wasson
7 SB 286 - Kingery
8 SB 479 - May
9 SB 526 - Cunningham (145)
10 SB 180 - Cooper (158)
11 HCS SCS SB 260 - Baker (123)
12 SB 268 - Byrd

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- 13 SB 274 - Richard
- 14 SS SCS SB 346 - Ruestman
- 15 HCS SS SB 95 - Hubbard
- 16 HCS SB 99 - Wood
- 17 SB 141 - Richard
- 18 HCS SS SCS SB 168 - Pratt
- 19 HCS SB 173, (Fiscal Review 5-2-05) - Hobbs
- 20 HCS SB 187 - Guest
- 21 HCS SB 192 - Robinson
- 22 HCS SCS SBs 221, 250 & 256 - St. Onge
- 23 SB 232, HCA 1 - Bivins
- 24 SCS SB 310 - Dixon
- 25 HCS SCS SB 319 - Roark
- 26 HCS SS SB 343 - Richard
- 27 SB 361 - Nance
- 28 SB 380 - Cunningham (86)
- 29 HCS SCS SBs 420 & 344 - Byrd (2 hours debate on Third Reading)
(Fiscal Review 5-2-05)
- 30 SB 431, E.C. - Sutherland

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)
- 4 SCS HCS HB 515 - Wood
- 5 SCS HB 638 - Cunningham (86)
- 6 SCS HB 685, E.C. - Franz
- 7 SCS HB 361 & HB 684 - Lipke
- 8 SCS HB 688 - Byrd
- 9 HCS HB 630, SPA 1 - Pollock
- 10 SCS HCS HB 362 - Lipke
- 11 SCS HB 456 - Kuessner
- 12 SCS HB 450 - Meiners
- 13 SCS HB 53 - Swinger

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS#2 SB 155, as amended (request House recede/grant conference) - Kingery
- 2 HCS SCS SB 246, (request House recede/take up and pass bill) - Villa

BILLS IN CONFERENCE

- 1 SCS HB 1 - Lager
- 2 SCS HCS HB 2 - Lager
- 3 SCS HCS HB 3, as amended - Lager
- 4 SCS HCS HB 4 - Lager
- 5 SCS HCS HB 5 - Lager
- 6 SCS HCS HB 6 - Lager
- 7 SCS HCS HB 7, as amended - Lager
- 8 SCS HCS HB 8, as amended - Lager
- 9 SCS HCS HB 9 - Lager
- 10 SCS HCS HB 10, as amended - Lager
- 11 SCS HCS HB 11, as amended - Lager
- 12 SCS HB 12, as amended - Lager
- 13 SCS HB 13 - Lager
- 14 CCR HCS SS SCS SB 237, as amended - Rector

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HCR 14, (4-26-05, Pages 1277-1278) - Zweifel

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, TUESDAY, MAY 3, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

An issue before you is a balanced budget. The noun balance means a state of equilibrium or harmony, a state of harmony of various parts.

Almighty God, so many needs command our attention: infrastructure, education, health care, the needy.....for each of us there are areas of special responsibilities and interests. As we work to meet one need before us, give us vision to see the effect on other needs. Help all of us to work together to create a true harmony among the various parts.

Then we will be doing our part to create a society with true equity and justice for all. Only then will we be giving You worthy honor and glory.

We pray to You who are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joseph Dahlia, Amber Sinamon, Liam Williams, Erdal Gledovic, Christina Schreiber, Suzanne Stumpf, Colleen Smyth, Emily Keppel, Michael Schonhoff and Matthew Kuelker.

The Journal of the sixty-sixth day was approved as printed.

SPECIAL RECOGNITION

Mary Ruth Brooks of Marshfield was introduced by Representative Cunningham (145) and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2795

through

House Resolution No. 2797 - Representative Aull

House Resolution No. 2798

through

House Resolution No. 2800 - Representative Ruestman

House Resolution No. 2801 - Representative Cunningham (145)

House Resolution No. 2802 - Representative Fraser
House Resolution No. 2803 - Representative Munzlinger
House Resolution No. 2804 - Representative Wright (159)
House Resolution No. 2805
and
House Resolution No. 2806 - Representative Dusenberg
House Resolution No. 2807 - Representative Burnett
House Resolution No. 2808
through
House Resolution No. 2835 - Representative Baker (123)
House Resolution No. 2836 - Representative Young
House Resolution No. 2837 - Representative Nolte
House Resolution No. 2838 - Representative Wildberger
House Resolution No. 2839 - Representative Wells
House Resolution No. 2840 - Representative Vogt
House Resolution No. 2841 - Representative Wilson (130)
House Resolution No. 2842
and
House Resolution No. 2843 - Representative Parson

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 697** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 972** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 15**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 19**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

SUPPLEMENTAL CALENDAR

MAY 3, 2005

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 15 - Lager
- 2 HCS HB 19 - Lager

Speaker Pro Tem Bearden assumed the Chair.

MOTION

Representative Dempsey moved that Rule 39(a) be suspended for the purpose of taking up House Bills for Perfection - Appropriations.

Which motion was adopted by the following vote:

AYES: 100

Avery	Baker 123	Bearden	Behnen	Bivins
Brown 30	Bruns	Byrd	Chinn	Cooper 155
Cooper 158	Cunningham 145	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Icet	Jackson	Jolly
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Wagner	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 054

Aull	Baker 25	Bland	Bringer	Brooks
Brown 10	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hughes	Johnson 61	Johnson 90
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Swinger	Villa
Vogt	Walsh	Walton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Black	Bowman	Boykins	Cooper 120
Cunningham 86	Hubbard	Johnson 47		

VACANCIES: 001

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 15, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 15** was adopted.

On motion of Representative Lager, **HCS HB 15** was ordered perfected and printed.

HCS HB 18, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 18** was adopted.

On motion of Representative Lager, **HCS HB 18** was ordered perfected and printed.

HCS HB 19, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 19** was adopted.

On motion of Representative Lager, **HCS HB 19** was ordered perfected and printed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 237**, as **amended**, and has taken up and passed **CCS HCS SS SCS SB 237**.

BILL IN CONFERENCE

CCR HCS SS SCS SB 237, as amended, relating to telecommunications, was taken up by Representative Rector.

On motion of Representative Rector, **CCR HCS SS SCS SB 237, as amended**, was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner

Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 003

Johnson 47	Schneider	Sutherland
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PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Bowman	Cooper 155	Smith 14
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VACANCIES: 001

On motion of Representative Rector, **CCS HCS SS SCS SB 237** was truly agreed to and finally passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp

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Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 003

Johnson 47	Schneider	Sutherland
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PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Bowman	Cooper 155	Smith 14
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 665, relating to professional registration, was taken up by Representative Behnen.

On motion of Representative Behnen, **HCS HB 665** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva

Sander	Sater	Schaaf	Schad	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 002

May Schlottach

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Bowman	Cooper 155	Hoskins	Smith 14
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 697, relating to motor vehicle emissions testing, was taken up by Representative Lembke.

On motion of Representative Lembke, **HCS HB 697** was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby

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Self	Shoemyer	Silvey	Skaggs	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Bowman	Cooper 155	Smith 14
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 880, relating to the Minority Business Enterprise/Women Business Enterprise Oversight Review Committee, was taken up by Representative Hughes.

On motion of Representative Hughes, **HB 880** was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa

Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Emery

PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 003

Bean Bowman Smith 14

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Cammi Hallinan, Jade Hallinan, Stephanie Smith and Mason Matzker.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2844

through

House Resolution No. 2856 - Representatives Smith (118) and Aull

House Resolution No. 2857 - Representative Faith, et al.

House Resolution No. 2858 - Representative Stevenson

House Resolution No. 2859

and

House Resolution No. 2860 - Representative Bringer

House Resolution No. 2861 - Representative Pratt

House Resolution No. 2862 - Representative Dixon

House Resolution No. 2863 - Representative Johnson (90)

House Resolution No. 2864 - Representative Hubbard

House Resolution No. 2865 - Representative Lager

House Resolution No. 2866 - Representative Cooper (158)

House Resolution No. 2867 - Representative Harris (23)

House Resolution No. 2868
and
House Resolution No. 2869 - Representative Wagner

SUPPLEMENTAL CALENDAR

MAY 3, 2005

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 15 - Lager
- 2 HCS HB 18 - Lager
- 3 HCS HB 19 - Lager

THIRD READING OF SENATE BILLS - CONSENT

SB 298, relating to the St. Louis school district superintendent, was taken up by Representative Wright-Jones.

On motion of Representative Wright-Jones, **SB 298** was truly agreed to and finally passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Bland	Boykins	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kingery	Kraus
Kuessner	Lager	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schad	Schlottach	Schneider
Schoemehl	Selby	Shoemyer	Silvey	Skaggs
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter

Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 002

Daus	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Black	Bowman	El-Amin	Hunter
Kelly	Kratky	Lembke	Schaaf	Self
Smith 14				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SB 299, relating to St. Louis school principals, was taken up by Representative Wright-Jones.

On motion of Representative Wright-Jones, **SB 299** was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson

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Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bowman	El-Amin	Lembke	Smith 14
Stevenson				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SCS SB 302, relating to St. Louis school board elections, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **SCS SB 302** was truly agreed to and finally passed by the following vote:

AYES: 126

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Lager	Lampe	Lembke	LeVota
Lipke	Loehner	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Smith 118	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wasson	Wells	Weter
Wildberger	Wilson 119	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yates	Young	Zweifel
Mr Speaker				

NOES: 026

Boykins	Chappelle-Nadal	Darrough	Daus	Donnelly
El-Amin	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Kuessner	Liese	Low 39
Marsh	Oxford	Roorda	Skaggs	Vogt
Wallace	Walsh	Walton	Whorton	Wilson 130
Yaeger				

PRESENT: 006

Brooks	Curls	George	Lowe 44	Spreng
Wagner				

ABSENT WITH LEAVE: 004

Bean	Bowman	Smith 14	Stevenson
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton resumed the Chair.

SB 306, relating to school board members, was taken up by Representative Dethrow.

On motion of Representative Dethrow, **SB 306** was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self

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Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bowman	Kelly	Parker	Smith 14
Stevenson				

VACANCIES: 001

Speaker Jetton declared the bill passed.

HCS SB 307, relating to public officials and employees, was taken up by Representative Kuessner.

On motion of Representative Kuessner, **HCS SB 307** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 118	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock

Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 004

Byrd	Flook	Lembke	Pratt
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PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Bowman	Haywood	Smith 14	Stevenson
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VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 318, relating to financial institution regulators, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **SB 318** was truly agreed to and finally passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 118	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh

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Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Bowman	Smith 14	Stevenson	Wright 159
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VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 347, relating to professional counselors, was taken up by Representative Cooper (155).

On motion of Representative Cooper (155), **SB 347** was truly agreed to and finally passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 002

El-Amin Lowe 44

ABSENT WITH LEAVE: 005

Bean Bowman Roark Smith 14 Stevenson

VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 394, relating to Northern Ireland financial institutions, was taken up by Representative Pearce.

On motion of Representative Pearce, **SB 394** was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bowman	Cooper 155	Roorda	Smith 14
Stevenson				

VACANCIES: 001

Speaker Jetton declared the bill passed.

SCS SB 407, relating to beneficiary deeds, was taken up by Representative Lipke.

On motion of Representative Lipke, **SCS SB 407** was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Bowman	Parker	Schneider	Smith 14
Stevenson				

VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 453, relating to nuisances, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **SB 453** was truly agreed to and finally passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 003

Daus	Harris 110	Johnson 61
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PRESENT: 000

ABSENT WITH LEAVE: 004

Bean Bowman Smith 14 Stevenson

VACANCIES: 001

Speaker Jetton declared the bill passed.

Representative Behnen assumed the Chair.

SB 480, relating to parental involvement in education, was taken up by Representative Kraus.

Representative Kraus offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND Senate Bill No. 480, Section 167.700, Page 1, Line 9, by striking the word “**must**” and inserting in lieu thereof the word “**shall**”; and

Further amend said bill, Section 167.700, Page 2, Line 16, by striking the word “**must**” and inserting in lieu thereof the word “**shall**”; and

Further amend said bill, Section 167.700, Page 2, Line 44, by striking the word “**trustees**” and inserting in lieu thereof the word “**education**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

SB 480, with House Perfecting Amendment No. 1, pending, was laid over.

HCS SB 490, relating to annexation authorization, was taken up by Representative Pearce.

On motion of Representative Pearce, **HCS SB 490** was read the third time and passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky

Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Bowman	Smith 14
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VACANCIES: 001

Representative Behnen declared the bill passed.

SCS SB 501, relating to a comprehensive child mental health office, was taken up by Representative Stefanick.

On motion of Representative Stefanick, **SCS SB 501** was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners

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Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Silvey	Skaggs	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	George	Hunter	Shoemyer	Smith 14
Wagner				

VACANCIES: 001

Representative Behnen declared the bill passed.

SB 507, relating to county property inventories, was taken up by Representative Baker (25).

On motion of Representative Baker (25), **SB 507** was truly agreed to and finally passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt

Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Denison	Harris 23	Marsh	Smith 14
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VACANCIES: 001

Representative Behnen declared the bill passed.

SB 516, relating to reimbursement for emergency services, was taken up by Representative Richard.

On motion of Representative Richard, **SB 516** was truly agreed to and finally passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf

Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Brown 50	Corcoran	Smith 14
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VACANCIES: 001

Representative Behnen declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 15, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 15** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf

Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Mr Speaker

NOES: 009

Bringer	Chappelle-Nadal	Daus	Donnelly	Harris 110
Oxford	Selby	Vogt	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Hunter	Smith 14
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 18, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 18** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Rorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick

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Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 003

Daus	Selby	Vogt
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PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Johnson 47	Schneider	Smith 14
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 19, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **HCS HB 19** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Boykins
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Walton	Wasson	Wells

Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 003

Daus	Selby	Vogt
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PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Bowman	Muschany	Smith 14
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF SENATE BILLS

SB 367, relating to payment of overtime for state employees, was taken up by Representative Deeken.

Representative Deeken offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 367, Page 3, Section 105.935, Line 48, by inserting after all of said line the following:

"7. This section is applicable to overtime earned under the Fair Labor Standards Act. This section is applicable to employees who are employed in nonexempt positions providing direct client care or custody in facilities operating on a twenty-four hour seven day a week basis in the department of corrections, the department of mental health, the division of youth services of the department of social services, and the veterans commission of the department of public safety.

Section B. Section A of this act shall become effective on January 1, 2006."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Deeken, **House Amendment No. 1** was adopted.

Representative Deeken offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 367, Page 1, Section A, Line 2, by inserting after all of said line the following:

"105.262. 1. As a condition of continued employment with the state of Missouri, all persons employed full time, part time, or on a temporary or contracted basis by the executive, legislative, or judicial branch shall file all state income tax returns and pay all state income taxes owed.

2. Each chief administrative officer or their designee of each division of each branch of state government shall at least one time each year check the status of every employee within the division against a database developed by the director of revenue to determine if all state income tax returns have been filed and all state income taxes owed have been paid. The officer or designee shall notify any employee if the database shows any state income tax return has not been filed or taxes are owed under that employee's name or taxpayer number. Upon notification, the employee will have

forty-five days to satisfy the liability or provide the officer or designee with a copy of a payment plan approved by the director of revenue. **To satisfy this section, any approved payment plan shall be in the form of a payroll deduction.** Failure to satisfy the liability or provide a copy of the **approved payroll deduction** payment plan within the forty-five days will result in immediate dismissal of the employee from employment by the state. **Nothing in this subsection shall prohibit the director of revenue from approving modifications to an approved payroll deduction payment plan for good cause; however, if an employee voluntarily suspends or terminates an approved payroll deduction without the agreement of the director of revenue before the tax liability is satisfied, then the employee shall be in violation of this section and shall be immediately dismissed as an employee of this state.**

3. The chief administrative officer of each division of the general assembly or their designee shall at least one time each year provide the name and Social Security number of every member of the general assembly to the director of revenue to determine if all state income tax returns have been filed and all state income taxes owed have been paid. The director shall notify any member of the general assembly if the database shows any state income tax return has not been filed or taxes are owed under that member's name or taxpayer number. Upon notification, the member will have forty-five days to satisfy the liability or provide the director with a copy of a payment plan approved by the director of revenue. **To satisfy this section, any approved payment plan shall be in the form of a payroll deduction.** Failure to satisfy the liability or provide a copy of the **approved payroll deduction** payment plan within the forty-five days will result in the member's name being submitted to the appropriate ethics committee for disciplinary action deemed appropriate by the committee. **Nothing in this subsection shall prohibit the director of revenue from approving modifications to an approved payroll deduction payment plan for good cause; however, if a member voluntarily suspends or terminates an approved payroll deduction without the agreement of the director of revenue before the tax liability is satisfied, then the member shall be in violation of this section and the member's name shall be immediately submitted to the appropriate ethics committee for disciplinary action deemed appropriate by the committee.**

4. The chief administrative officer of each division of the judicial branch or their designee shall at least one time each year provide the name and Social Security number of every elected or appointed member of the judicial branch to the director of revenue to determine if all state income tax returns have been filed and all state income taxes owed have been paid. The director shall notify any member if the database shows any state income tax return has not been filed or taxes are owed under that member's name or taxpayer number. Upon notification, the member will have forty-five days to satisfy the liability or provide the director with a copy of a payment plan approved by the director of revenue. **To satisfy this section, any approved payment plan shall be in the form of a payroll deduction.** Failure to satisfy the liability or provide a copy of the **approved payroll deduction** payment plan within the forty-five days will result in the member's name being submitted to the appropriate ethics body for disciplinary action deemed appropriate by that body. **Nothing in this subsection shall prohibit the director of revenue from approving modifications to an approved payroll deduction payment plan for good cause; however, if a member voluntarily suspends or terminates an approved payroll deduction without the agreement of the director of revenue before the tax liability is satisfied, then the member shall be in violation of this section and the member's name shall be immediately submitted to the appropriate ethics body for disciplinary action deemed appropriate by that body.**

5. The director of revenue shall at least one time each year check the status of every statewide elected official against a database developed by the director to determine if all state income tax returns have been filed and all state income taxes owed have been paid. The director shall notify any elected official if the database shows any state income tax return has not been filed or taxes are owed under that official's name or taxpayer number. Upon notification, the official will have forty-five days to satisfy the liability or agree to a payment plan approved by the director of revenue. **To satisfy this section, any approved payment plan shall be in the form of a payroll deduction.** Failure to satisfy the liability or agree to the **approved payroll deduction** payment plan within the forty-five days will result in the official's name being submitted to the state ethics commission. **Nothing in this subsection shall prohibit the director of revenue from approving modifications to an approved payroll deduction payment plan for good cause; however, if an official voluntarily suspends or terminates an approved payroll deduction without the agreement of the director of revenue before the tax liability is satisfied, then the official shall be in violation of this section and the official's name shall be immediately submitted to the state ethics commission.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Deeken, **House Amendment No. 2** was adopted.

On motion of Representative Deeken, **SB 367, as amended**, was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Salva

ABSENT WITH LEAVE: 003

Bean	Smith 14	Smith 118
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SCS SB 390, relating to motor vehicle dealer advertisements, was taken up by Representative Pratt.

Representative Pratt offered **House Amendment No. 1.**

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 390, Page 4, Section 301.567, Line 88, by deleting the words “or print” following the word “broadcast”.

Representative Burnett offered **House Amendment No. 1 to House Amendment No. 1.**

Representative Byrd raised a point of order that **House Amendment No. 1 to House Amendment No. 1** is not a true amendment to the amendment.

The Chair ruled the point of order well taken.

On motion of Representative Pratt, **House Amendment No. 1** was adopted.

Representative Burnett offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 390, Page 4, Line 92, by adding the following language at the end of the line:

“Internet or toll-free telephone number disclosures shall not relieve dealers of disclosure requirements regarding price or financing options.”.

Representative Burnett moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Pearce	Robinson	Roorda	Rucker
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Villa	Vogt
Wagner	Walsh	Walton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 095

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin

Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Smith 14	Wallace
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VACANCIES: 001

Representative Whorton offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 390, Section 301.567, Page 4, Line 95, by inserting after all of said line, the following:

"301.700. **Notwithstanding the provisions of section 144.010, RSMo, and any other law, new and used** all-terrain vehicles **purchased from dealers or private individuals** shall be treated in the same manner as motor vehicles, pursuant to this chapter, for the purposes of transfer, titling, perfection of liens and encumbrances, and the collection of all taxes, fees and other charges, **regardless of the purchase price.** Funds collected by the department of revenue pursuant to sections 301.700 to 301.714 shall be deposited by the director in the state treasury to the credit of the general revenue fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Whorton, **House Amendment No. 3** was adopted.

On motion of Representative Pratt, **SCS SB 390, as amended**, was read the third time and passed by the following vote:

AYES: 125

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bowman	Bringer
Brown 30	Bruns	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Harris 23	Hobbs	Hoskins	Hubbard

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Hunter	Icet	Jackson	Johnson 47	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Rucker	Ruestman
Rupp	Salva	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Self	Shoemyer
Silvey	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 033

Bland	Boykins	Brooks	Brown 50	Burnett
Darrough	Daus	Donnelly	Fraser	George
Harris 110	Haywood	Henke	Hughes	Johnson 61
Johnson 90	Jolly	Low 39	Lowe 44	Oxford
Roorda	Sander	Selby	Skaggs	Spreng
Storch	Swinger	Vogt	Walsh	Walton
Wildberger	Witte	Wright-Jones		

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 003

Bean	Smith 14	Wallace
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SB 488, with House Committee Amendment No. 1, relating to prior salvage titled vehicles, was taken up by Representative Robinson.

SB 488, with House Committee Amendment No. 1, pending, was laid over.

THIRD READING OF HOUSE BILLS

HCS HB 972, relating to intoxication-related offenses, was taken up by Representative Jetton.

On motion of Representative Jetton, **HCS HB 972** was read the third time and passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 004

Brooks	El-Amin	Johnson 61	Lowe 44
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ABSENT WITH LEAVE: 005

Bean	Haywood	Marsh	Smith 14	Young
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HB 789, relating to a sales tax exemption, was taken up by Representative Salva.

On motion of Representative Salva, **HB 789** was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Lembke	Marsh	Smith 14	Young
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 192, relating to waste tires, was taken up by Representative Sander.

On motion of Representative Sander, **HCS HB 192** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cunningham 145
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 003

Cooper 158	Cunningham 86	Rector
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PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Marsh	Smith 14	Young
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cunningham 145
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 004

Cooper 158	Cunningham 86	Rector	Wells
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PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Marsh	Smith 14	Young
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VACANCIES: 001

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 246, relating to sewer systems, was taken up by Representative Villa.

Representative Villa moved that the House recede from its position on **HCS SCS SB 246**.

Which motion was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Curls	Darrough	Daus	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 001

Cunningham 86

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Deeken	George	Marsh	Smith 14
Young				

VACANCIES: 001

On motion of Representative Villa, **SCS SB 246** was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Baker 25	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Boykins

Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bean	George	Lembke	Marsh
Smith 14	Wright 137	Young		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 5 - Health Care Policy

SCR 13 - Retirement

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS#2 SCS SB 225 - Fiscal Review (Fiscal Note)

HCS SCS SB 500 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 57**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 468**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 233**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 12**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 131**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 859**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 925**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 948**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SBs 23 & 51**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SBs 74 & 49**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SB 225**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 254**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 262**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 272**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 355**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 358**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 462**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 500**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1.
2. That the House recede from its position on House Bill No. 1.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick
/s/ Paul LeVota
/s/ Brad Robinson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 4**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick
/s/ Wes Shoemyer
/s/ R.W. Jones

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 5**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick
/s/ Wes Shoemyer
/s/ Al Liese

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 6**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick
/s/ Wayne J. Henke
/s/ Terry L. Witte

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 7**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick
/s/ Michael Spreng
/s/ Amber Boykins

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 8**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, as amended.

2. That the House recede from its position on House Committee Substitute for House Bill No. 8.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick
/s/ Ed Wildberger
/s/ Jeff Roorda

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 9**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.

2. That the House recede from its position on House Committee Substitute for House Bill No. 9.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick
/s/ Michael Brown
/s/ Ed Wildberger

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 10**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 11**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended.

2. That the House recede from its position on House Committee Substitute for House Bill No. 11.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 12**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 12, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 12, as amended.

2. That the House recede from its position on House Bill No. 12.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 13**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 13.
2. That the House recede from its position on for House Bill No. 13.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 13, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Chuck Gross
/s/ Gary Nodler
/s/ Chuck Purgason
/s/ Pat Dougherty
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Brad Lager
/s/ Allen Icet
/s/ Jodi Stefanick

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 365**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 423**, entitled:

An act to amend chapter 227, RSMo, by adding thereto two new sections relating to the establishment of memorial highways.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 441**, entitled:

An act to repeal sections 195.017 and 195.417, RSMo, and to enact in lieu thereof two new sections relating to the scheduling and sale of certain controlled substances, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 479**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 229**, entitled:

An act to repeal sections 135.010 and 137.106, RSMo, and to enact in lieu thereof two new sections relating to the homestead preservation tax credit.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS#2 HB 232**, entitled:

An act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to patient health care records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 297**, entitled:

An act to repeal sections 105.458, 160.522, 168.104, 168.211, 168.221, 168.261, and 168.515, RSMo, and to enact in lieu thereof seven new sections relating to elementary and secondary education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 443**, entitled:

An act to repeal sections 169.010, 169.020, 169.040, 169.056, 169.070, 169.073, 169.075, 169.140, 169.555, 169.560, 169.561, 169.569, 169.600, 169.610, 169.620, 169.630, 169.650, 169.655, 169.670, 169.673, and 169.712, RSMo, and to enact in lieu thereof twenty-two new sections relating to public school retirement, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 528**, entitled:

An act to repeal section 142.815, RSMo, and to enact in lieu thereof one new section relating to motor fuel tax.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 618**, entitled:

An act to repeal sections 43.050 and 304.022, RSMo, and to enact in lieu thereof two new sections relating to law enforcement, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 210, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 19**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 6 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to taxation of veterans' organization.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Nieves is no longer a member of the Appropriations - Health, Mental Health and Social Services Committee.

Representative Bean has been appointed a member of the Appropriations - Health, Mental Health and Social Services Committee.

COMMUNICATION

May 2, 2005

Mr. Stephen S. Davis
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Davis:

We, the undersigned members of the Missouri House of Representatives, pursuant to the Missouri Constitution, Article III, Section 22, and House Rule 34, hereby relieve the House Judiciary Committee from further consideration of House Joint Resolution 23 and request that it be placed upon the House Calendar for consideration.

Sincerely,

/s/ Ed Emery (126)
/s/ Susan Phillips (32)
/s/ Kevin Wilson (130)
/s/ Nathan Cooper (158)
/s/ Larry Wilson (119)
/s/ Mike Dethrow (153)
/s/ David Sater (68)
/s/ Jason Brown (30)
/s/ Doug Ervin (35)

/s/ Charles Portwood (92)
/s/ James W. Lembke (85)
/s/ Gayle Kingery (154)
/s/ Bob May (149)
/s/ Jim Avery (95)
/s/ Van Kelly (144)
/s/ Bill Deeken (114)
/s/ Gary Dusenberg (54)
/s/ Barney Fisher (125)

/s/ Peter Myers (160)
/s/ Charles Schlottach (111)
/s/ Ray Weter (142)
/s/ Ed Robb (24)
/s/ Bob Nance (36)
/s/ Walter R. Bivins (97)
/s/ Allen Icet (84)
/s/ Lanie G. Black (161)
/s/ Darrell Pollock (146)
/s/ Bob Behnen (2)
/s/ Brian Nieves (98)
/s/ Brian Munzlinger (1)
/s/ Ron Richard (129)
/s/ Joe Smith (14)
/s/ Kenny Jones (117)
/s/ Sally Faith (15)
/s/ Mike Cunningham (145)
/s/ Therese Sander (22)
/s/ Jerry Nolte (33)

/s/ Scott Rupp (13)
/s/ Kathy L. Chinn (8)
/s/ Jane Cunningham (86)
/s/ John Quinn (7)
/s/ Jim Guest (5)
/s/ Brad Lager (4)
/s/ Mark Bruns (113)
/s/ Jim Viebrock (134)
/s/ Maynard Wallace (143)
/s/ Rex Rector (124)
/s/ Mike Parson (133)
/s/ Tom Self (116)
/s/ Billy Pat Wright (159)
/s/ Steven Tilley (106)
/s/ David A. Day (148)
/s/ Steve Hunter (127)
/s/ David Pearce (121)
/s/ Kevin Threlkeld (109)

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Wednesday, May 4, 2005.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Wednesday, May 4, 2005, 9:00 a.m. To be announced. CANCELLED
Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Thursday, May 5, 2005, Senate Lounge upon afternoon adjournment.
Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Friday, May 6, 2005, 9:00 a.m. Senate Lounge.
Public hearings to be held on: SCS HB 1, SCS HCS HB 2,
SCS HCS HB 3, SCS HCS HB 4, SCS HCS HB 5, SCS HCS HB 6,
SCS HCS HB 7, SCS HCS HB 8, SCS HCS HB 9, SCS HCS HB 10,
SCS HCS HB 11, SCS HB 12, SCS HB 13

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, May 4, 2005, 9:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: SS SCS SBs 37, 322, 78, 351 & 424

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 4, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 35, SCS SB 481

FISCAL REVIEW

Wednesday, May 4, 2005, 9:00 a.m. Hearing Room 4.

Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 4.

Executive session on any bills or matters referred to the Fiscal Review Committee.

FISCAL REVIEW

Friday, May 6, 2005, 9:00 a.m. Hearing Room 4.

Executive session on any bills or matters referred to the Fiscal Review Committee.

HEALTH CARE POLICY

Wednesday, May 4, 2005, 8:00 a.m. Hearing Room 6.

Executive session.

JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, May 4, 2005, 12:30 p.m. Hearing Room 5.

Executive session may follow.

JOINT COMMITTEE ON ECONOMIC DEVELOPMENT, POLICY & PLANNING

Wednesday, May 4, 2005, 12:00 p.m. Hearing Room 5.

Consideration of Rolla, Missouri enterprise zone renewal.

JUDICIARY

Wednesday, May 4, 2005, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearing to be held on: SS SCS SB 144

LOCAL GOVERNMENT

Wednesday, May 4, 2005, House Chamber side gallery upon afternoon adjournment.

Executive session.

LOCAL GOVERNMENT

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SS SB 220

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 4, 2005, 12:00 p.m. Hearing Room 1.

Public hearings to be held on: HB 504, HB 550, HB 599

RETIREMENT

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 5.

Executive session will follow.

Public hearing to be held on: SCR 13

RULES

Wednesday, May 4, 2005, House Chamber side gallery upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 970, HCR 16, HCS SS SB 362,

HCS SB 194, HCS SCS SB 233, HCS SB 342, HCS SB 320,

HCS SCS SB 57, HCS SCS SB 468

SPECIAL COMMITTEE ON EDUCATION FUNDING

Wednesday, May 4, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow. AMENDED

Public hearing to be held on: SS SCS SB 287

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, May 4, 2005, House Chamber side gallery upon morning recess.

Executive session only.

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 1.

Executive session may follow.

WAYS AND MEANS

Wednesday, May 4, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session.

HOUSE CALENDAR

SIXTY-EIGHTH DAY, WEDNESDAY, MAY 4, 2005

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 12 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491 - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach
- 26 HCS HB 842 & 831 - Brooks
- 27 HB 875 - Moore
- 28 HCS#2 HB 131 - Schaaf
- 29 HCS HB 859 - Jetton
- 30 HB 925 - Salva
- 31 HCS HB 948 - Cooper (158)

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 3 HB 952, E.C. - Icet

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE JOINT RESOLUTION FOR SECOND READING

SJR 19

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 222 - Sutherland
- 2 SB 480, HPA 1, pending - Kraus
- 3 SB 518 - Cooper (155)
- 4 SCS SB 6 - Lager
- 5 HCS SB 38 - Ruestman
- 6 SB 122 - Wright (137)
- 7 SB 162 - Cooper (155)
- 8 HCS SB 174, E.C. - Bruns
- 9 HCS SB 177 - Behnen
- 10 HCS SCS SB 182 - Rector
- 11 SB 209 - Pearce
- 12 HCS SB 216 - Goodman
- 13 SCS SB 227 - Kuessner
- 14 HCS SCS SB 238 - Faith
- 15 SCS SB 247 - Bruns
- 16 SB 265 - Wood
- 17 SB 288 - Lager
- 18 SB 304 - Ervin
- 19 HCS SB 308 - Pollock
- 20 SB 317 - Smith (118)
- 21 SCS SB 354 - Schlottach
- 22 SB 357 - Johnson (47)
- 23 HCS SB 364, E.C. - Franz
- 24 HCS SCS SB 372 - Kuessner
- 25 SCS SB 374 - Zweifel
- 26 SB 396 - Sutherland

- 27 HCS SB 401 - Lembke
- 28 SB 418 - Lipke
- 29 HCS SB 422 - Yates
- 30 HCS SCS SB 423 - Lipke
- 31 HCS SCS SB 450, E.C. - Portwood
- 32 SCS SB 496 - Kelly
- 33 SCS SB 502, E.C. - Portwood
- 34 SB 521, HCA 1 - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 70 - Richard
- 2 SB 488, HCA 1, pending - Robinson
- 3 SCS SB 170, E.C. - Byrd
- 4 SB 280 - Wasson
- 5 SB 286 - Kingery
- 6 SB 479 - May
- 7 SB 526 - Cunningham (145)
- 8 SB 180 - Cooper (158)
- 9 HCS SCS SB 260 - Baker (123)
- 10 SB 268 - Byrd
- 11 SB 274 - Richard
- 12 SS SCS SB 346 - Ruestman
- 13 HCS SS SB 95 - Hubbard
- 14 HCS SB 99 - Wood
- 15 SB 141 - Richard
- 16 HCS SS SCS SB 168 - Pratt
- 17 HCS SB 173, (Fiscal Review 5-2-05) - Hobbs
- 18 HCS SB 187 - Guest
- 19 HCS SB 192 - Robinson
- 20 HCS SCS SBs 221, 250 & 256 - St. Onge
- 21 SB 232, HCA 1 - Bivins
- 22 SCS SB 310 - Dixon
- 23 HCS SCS SB 319 - Roark
- 24 HCS SS SB 343 - Richard
- 25 SB 361 - Nance
- 26 SB 380 - Cunningham (86)
- 27 HCS SCS SBs 420 & 344
(Fiscal Review 5-2-05) - Byrd (2 hours debate on Third Reading)
- 28 SB 431, E.C.- Sutherland
- 29 SCS SBs 23 & 51 - Threlkeld
- 30 HCS SS SCS SBs 74 & 49, E.C. - Cooper (155)
- 31 HCS SCS SB 161 - Chinn
- 32 HCS SS#2 SCS SB 225, (Fiscal Review 5-3-05), E.C. - Hobbs
- 33 SB 254 - Tilley
- 34 HCS SCS SB 262 - Johnson (47)

- 35 HCS SCS SB 272 - Dempsey
- 36 HCS SCS SB 355, E.C. - Loehner
- 37 SB 358 - Richard
- 38 HCS SS SCS SB 462, E.C. - Schad
- 39 HCS SCS SB 500, (Fiscal Review 5-3-05), E.C. - Lager

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)
- 4 SCS HCS HB 515 - Wood
- 5 SCS HB 638 - Cunningham (86)
- 6 SCS HB 685, E.C. - Franz
- 7 SCS HB 361 & HB 684 - Lipke
- 8 SCS HB 688 - Byrd
- 9 HCS HB 630, SPA 1 - Pollock
- 10 SCS HCS HB 362 - Lipke
- 11 SCS HB 456 - Kuessner
- 12 SCS HB 450 - Meiners
- 13 SCS HB 53 - Swinger
- 14 SCS HB 423 - Kuessner
- 15 SS SCS HCS HB 441, E.C. - Lipke
- 16 SCS HB 528 - Cunningham (145)
- 17 SCS HB 618 - Bearden
- 18 SCS HCS HB 297 - Pearce
- 19 SCS HCS HB 443 - Sander
- 20 SCS HCS#2 HB 232 - Portwood
- 21 SCS HB 229 - Portwood

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS#2 SB 155, as amended, (request House recede/grant conference) - Kingery
- 2 HCS SS SCS SB 210, as amended, (request House recede/grant conference) - Johnson (47)

BILLS IN CONFERENCE

- 1 CCR SCS HB 1 - Lager
- 2 CCR SCS HCS HB 2 - Lager
- 3 CCR SCS HCS HB 3, as amended - Lager
- 4 CCR SCS HCS HB 4 - Lager
- 5 CCR SCS HCS HB 5 - Lager
- 6 CCR SCS HCS HB 6 - Lager
- 7 CCR SCS HCS HB 7, as amended - Lager
- 8 CCR SCS HCS HB 8, as amended - Lager
- 9 CCR SCS HCS HB 9 - Lager

- 10 CCR SCS HCS HB 10, as amended - Lager
- 11 CCR SCS HCS HB 11, as amended - Lager
- 12 CCR SCS HB 12, as amended - Lager
- 13 CCR SCS HB 13 - Lager

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

- 1 HCR 14, (4-26-05, Pages 1277-1278) - Zweifel
- 2 HJR 23 - Emery

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, WEDNESDAY, MAY 4, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, it is true, that the grass withers and the wild flowers fade, but Your Word stands firm and eternal.

From Your mouth come words of wisdom and from those thoughts our hearts receive knowledge.

Lord God, apart from things competing for our attention outside these Chambers, there is the mounting pressure on us to meet mandated deadlines.

May Your peace, that passes all understanding, act as a pressure release valve, so that anxiety will not build to explosive heights and hinder our progress. Give us words of encouragement that we might find joy in times of stress.

May You grant us understanding in all things.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kory Beck, Daniel Crum II, Jacklyn Erger, Ashley Shatto, Katharine Loher, Raymond Williams, Kate Drollinger, Alex Rieger, Taylor Peacock, Andrew Riggs, Laney Shelby, Lacey Hunn, Tevon Lee, Clay Ames, Sarah Rinne and Sarah Whitworth.

Representative Cunningham (145) introduced Devin Cogdill of Rogersville who performed “The Star-Spangled Banner” and “Down to the River to Pray”.

The Journal of the sixty-seventh day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2870 - Representative Denison
House Resolution No. 2871 - Representative Robinson
House Resolution No. 2872
through
House Resolution No. 2875 - Representative Whorton

House Resolution No. 2876
and
House Resolution No. 2877 - Representative Behnen
House Resolution No. 2878
and
House Resolution No. 2879 - Representative Donnelly
House Resolution No. 2880 - Representative Bruns
House Resolution No. 2881 - Representative Pearce
House Resolution No. 2882
through
House Resolution No. 2895 - Representative Cooper (158)
House Resolution No. 2896
and
House Resolution No. 2897 - Representative Dethrow
House Resolution No. 2898 - Representative Skaggs
House Resolution No. 2899 - Representative Schlottach
House Resolution No. 2900
and
House Resolution No. 2901 - Representative Lager
House Resolution No. 2902 - Representative Wright-Jones
House Resolution No. 2903 - Representative Moore

SECOND READING OF SENATE JOINT RESOLUTION

SJR 19 was read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 532**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 173**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SB 225**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SBs 420 & 344**, begs leave to report it has **been furnished an updated fiscal note and does not require fiscal review**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 500**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Speaker Pro Tem Bearden assumed the Chair.

THIRD READING OF SENATE BILL

SCS SB 170, relating to hazardous waste, was taken up by Representative Byrd.

On motion of Representative Byrd, **SCS SB 170** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Parson

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Boykins	Cunningham 145	Dethrow	Hubbard
Kelly	Schlottach	Smith 14	Spreng	Wallace

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton resumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Parson

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 009

Bean	Boykins	Cunningham 145	Dethrow	Hubbard
Kelly	Schlottach	Smith 14	Wallace	

VACANCIES: 001

BILLS IN CONFERENCE

CCR SCS HB 1, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **CCR SCS HB 1** was adopted by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Shoemyer	Silvey	Skaggs	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Hubbard	Parker	Self	Smith 14
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VACANCIES: 001

On motion of Representative Lager, **CCS SCS HB 1** was read the third time and passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Hubbard	Smith 14
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 2, relating to appropriations, was taken up by Representative Lager.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 063

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Deeken	Haywood	Smith 14
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VACANCIES: 001

On motion of Representative Lager, **CCR SCS HCS HB 2** was adopted by the following vote:

AYES: 103

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145

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Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 110	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lampe	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Rucker	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 056

Baker 25	Bland	Bowman	Boykins	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Haywood	Henke	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Robb	Smith 14
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VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 2** was read the third time and passed by the following vote:

AYES: 103

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Harris 110	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lampe	Lembke	Lipke	Loehner	Marsh

May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Rucker	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 055

Baker 25	Bland	Bowman	Boykins	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Haywood	Henke	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Whorton
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Cooper 155	Smith 14	Walton
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

On motion of Representative Dempsey, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2904	-	Representative Fares
House Resolution No. 2905	-	Representative Cunningham (86)
House Resolution No. 2906	-	Representatives Dempsey and Schneider
House Resolution No. 2907	-	Representative Hubbard
House Resolution No. 2908	-	Representative Schad
House Resolution No. 2909		
through		
House Resolution No. 2912	-	Representative Sander

House Resolution No. 2913
through
House Resolution No. 2917 - Representative Nolte
House Resolution No. 2918 - Representative Portwood
House Resolution No. 2919 - Representative Sander
House Resolution No. 2920 - Representative Goodman
House Resolution No. 2921
through
House Resolution No. 2923 - Representatives Harris (110) and Kuessner
House Resolution No. 2924
and
House Resolution No. 2925 - Representatives Harris (110) and Casey
House Resolution No. 2926 - Representative Jackson
House Resolution No. 2927 - Representative Chinn
House Resolution No. 2928 - Representative Deeken
House Resolution No. 2929 - Representative Cunningham (145)
House Resolution No. 2930 - Representative Stefanick
House Resolution No. 2931
and
House Resolution No. 2932 - Representative Guest

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 210, as amended, relating to local government, was taken up by Representative Johnson (47).

Representative Johnson (47) moved that the House refuse to recede from its position on **HCS SS SCS SB 210, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS#2 SB 155, as amended, relating to child abuse and neglect reports, was taken up by Representative Kingery.

Representative Kingery moved that the House refuse to recede from its position on **HCS SCS#2 SB 155, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS#2 SB 155: Representatives Kingery, Pratt, Sander, Donnelly and Johnson (90)

HCS SS SCS SB 210: Representatives Johnson (47), Schneider, Smith (118), Wagner and Skaggs

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS#2 SB 155, as amended**: Senators Mayer, Nodler, Engler, Wilson and Days.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SCS SB 210, as amended**: Senators Griesheimer, Taylor, Crowell, Wilson and Kennedy.

Speaker Pro Tem Bearden resumed the Chair.

BILLS IN CONFERENCE

CCR SCS HCS HB 3, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Harris (23) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Decken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hoskins
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Parker	Parson	Pearce	Phillips	Pollock

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Portwood	Pratt	Quinn	Rector	Richard
Robb	Robinson	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Wells	Weter	Whorton
Wilson 119	Witte	Wood	Wright 137	Wright 159
Yaeger	Young	Zweifel	Mr Speaker	

NOES: 006

Bowman	Daus	Rupp	Vogt	Wildberger
Wright-Jones				

PRESENT: 004

Dougherty	Henke	Roorda	Yates
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ABSENT WITH LEAVE: 013

Bean	Boykins	Corcoran	Donnelly	George
Hubbard	Moore	Page	Roark	Smith 14
Walton	Wasson	Wilson 130		

VACANCIES: 001

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 118	Stefanick	Stevenson
St. Onge	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 062

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 004

Bean	Page	Smith 14	Sutherland
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VACANCIES: 001

On motion of Representative Lager, **CCR SCS HCS HB 3, as amended**, was adopted by the following vote:

AYES: 102

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 110	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lampe	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Rucker	Ruestman
Rupp	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

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NOES: 057

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Haywood
Henke	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Roorda	Salva	Sander	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Threlkeld	Villa	Vogt	Wagner	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 002

Bean Smith 14

VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 3** was read the third time and passed by the following vote:

AYES: 108

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bowman	Boykins	Brooks	Brown 30
Brown 50	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Harris 110	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lampe	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Rucker	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 051

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	El-Amin	Fraser	George	Harris 23
Haywood	Henke	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Roorda	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Threlkeld
Villa	Vogt	Wagner	Walsh	Walton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Curls	Smith 14
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 4, relating to appropriations, was taken up by Representative Lager.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

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NOES: 064

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

On motion of Representative Lager, **CCR SCS HCS HB 4** was adopted by the following vote:

AYES: 102

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wagner	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 059

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George

Harris 23	Harris 110	Haywood	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 4** was read the third time and passed by the following vote:

AYES: 102

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Boykins	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wagner	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 059

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer

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Skaggs	Spreng	Storch	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 5, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **CCR SCS HCS HB 5** was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bowman	Boykins	Brown 30	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Curls	Davis	Day	Dempsey
Denison	Dethrow	Dixon	Dougherty	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hoskins
Hubbard	Hunter	Icet	Jackson	Johnson 47
Kelly	Kingery	Lager	Lipke	Marsh
May	McGhee	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Wright-Jones	Mr Speaker	

NOES: 067

Aull	Baker 25	Bland	Bringer	Brooks
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Corcoran	Darrough	Daus	Deeken	Donnelly
Dusenberg	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hughes	Johnson 61
Johnson 90	Jolly	Jones	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Loehner	Low 39	Lowe 44	Meadows	Meiners
Moore	Oxford	Page	Portwood	Pratt
Robinson	Roorda	Rucker	Salva	Schad
Schoemehl	Selby	Shoemyer	Skaggs	Spreng

Storch	Swinger	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Yates
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 5** was read the third time and passed by the following vote:

AYES: 096

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bland	Bowman	Boykins	Brown 30
Byrd	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Curls	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dougherty
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Haywood
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jackson	Johnson 47	Kelly	Kingery	Lager
Lipke	Marsh	May	McGhee	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Wright-Jones
Mr Speaker				

NOES: 065

Aull	Baker 25	Bringer	Brooks	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Deeken	Donnelly	Dusenberg
El-Amin	Fraser	George	Harris 23	Harris 110
Henke	Hughes	Johnson 61	Johnson 90	Jolly
Jones	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Lowe 44	Meadows	Meiners	Moore	Oxford
Page	Portwood	Pratt	Robinson	Roorda
Rucker	Salva	Schad	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Yates	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 6, relating to appropriations, was taken up by Representative Lager.

Representative Behnen assumed the Chair

Speaker Pro Tem Bearden resumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Self
Silvey	Smith 14	Smith 118	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 064

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng

Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Schneider	Stevenson
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VACANCIES: 001

On motion of Representative Lager, **CCR SCS HCS HB 6** was adopted by the following vote:

AYES: 122

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bowman	Boykins
Bringer	Brown 30	Brown 50	Bruns	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Haywood	Hobbs	Hoskins	Hubbard
Hunter	Icet	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lampe
Lembke	Lipke	Loehner	Marsh	May
McGhee	Meadows	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Wagner	Wallace	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 038

Bland	Brooks	Burnett	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Harris 110	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
LeVota	Liese	Low 39	Lowe 44	Meiners
Oxford	Salva	Schoemehl	Selby	Storch
Villa	Vogt	Walsh	Wildberger	Wright-Jones
Yaeger	Young	Zweifel		

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PRESENT: 000

ABSENT WITH LEAVE: 002

Bean Stevenson

VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 6** was read the third time and passed by the following vote:

AYES: 120

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bowman	Boykins
Bringer	Brown 30	Brown 50	Bruns	Byrd
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Haywood	Hobbs	Hoskins	Hubbard	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lampe	Lembke
Liese	Lipke	Loehner	Marsh	May
McGhee	Meadows	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 038

Bland	Burnett	Casey	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Harris 110	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
LeVota	Low 39	Lowe 44	Meiners	Oxford
Salva	Schoemehl	Selby	Storch	Villa
Vogt	Walsh	Walton	Wildberger	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 003

Bean Sander Stevenson

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 7, as amended, relating to appropriations, was taken up by Representative Lager.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 064

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

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PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Kelly	Myers	Stevenson
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VACANCIES: 001

On motion of Representative Lager, **CCR SCS HCS HB 7, as amended**, was adopted by the following vote:

AYES: 125

Avery	Baker 25	Baker 123	Bearden	Behnen
Bivins	Black	Bowman	Boykins	Brooks
Brown 30	Brown 50	Bruns	Byrd	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Haywood	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Johnson 47	Jolly
Jones	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Self	Silvey	Smith 14	Smith 118	Spreng
Stefanick	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yates	Zweifel	Mr Speaker

NOES: 034

Aull	Bland	Bringer	Burnett	Casey
Curls	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Harris 110	Henke	Hughes
Johnson 61	Johnson 90	LeVota	Low 39	Meadows
Oxford	Robinson	Roorda	Rucker	Salva
Selby	Shoemyer	Skaggs	Storch	Walsh
Walton	Wildberger	Yaeger	Young	

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Kelly	Stevenson
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VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 7** was read the third time and passed by the following vote:

AYES: 127

Avery	Baker 25	Baker 123	Bearden	Behnen
Bivins	Black	Bowman	Boykins	Brooks
Brown 30	Brown 50	Bruns	Byrd	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Haywood
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Self	Silvey
Smith 14	Smith 118	Spreng	Stefanick	St. Onge
Sutherland	Swinger	Threlkeld	Viebrock	Villa
Wagner	Wallace	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yates
Zweifel	Mr Speaker			

NOES: 031

Aull	Bland	Bringer	Burnett	Casey
Daus	El-Amin	George	Harris 23	Harris 110
Henke	Hughes	Johnson 61	Johnson 90	LeVota
Low 39	Meadows	Oxford	Robinson	Roorda
Rucker	Salva	Selby	Shoemyer	Skaggs
Storch	Vogt	Walsh	Walton	Yaeger
Young				

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Kelly	Stevenson	Tilley
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 8, as amended, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **CCR SCS HCS HB 8, as amended**, was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Brooks	Brown 30	Brown 50	Bruns
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Iceet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yates	Young	Zweifel
Mr Speaker				

NOES: 008

Bringer	Burnett	Darrough	Daus	George
LeVota	Low 39	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Stevenson	Vogt
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VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 8** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Brown 30	Brown 50	Bruns	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hunter	Iceet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yates	Young	Zweifel
Mr Speaker				

NOES: 009

Bringer	Brooks	Burnett	Daus	Hughes
LeVota	Low 39	Vogt	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean	Stevenson
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 19 - Veterans

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 2 - Children and Families

COMMITTEE REPORTS

Committee on Job Creation and Economic Development, Chairman Richard reporting:

Mr. Speaker: Your Committee on Job Creation and Economic Development, to which was referred **SS SCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

SENATE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 7

WHEREAS, musculoskeletal conditions are responsible for approximately 50 percent of all health-related military disability discharges and the most common non-traumatic cause of functional impairment during military operations; and

WHEREAS, chiropractic services often are used to treat musculoskeletal conditions, and Congress established chiropractic benefits and services for both active duty military within the U.S. Department of Defense and for veterans within the Veterans' Affairs health care systems; and

WHEREAS, doctors of chiropractic practice are in nearly 50 military treatment facilities, primarily testing musculoskeletal conditions and slowly are being added to the VA health care system; and

WHEREAS, there currently is no enterprise coordinating and guiding collaborative research efforts between preeminent chiropractic colleges, scientists, and the military researchers to address the primary questions surrounding integration of chiropractic into military health care environments; and

WHEREAS, there is a critical need to establish a robust, collaborative, national program to address the continued integration of chiropractic health care into the Department of Defense health care systems; and

WHEREAS, Logan College of Chiropractic and the Samueli Institute have proposed the establishment of a plan to create a new consortial Chiropractic Center for Military Research in Chesterfield, Missouri, on the campus of Logan College; and

WHEREAS, the Center will facilitate development of research capacity in the area of musculoskeletal research, education and training through linkages with researchers and scientists at chiropractic educational institutions with researchers within the Department of Defense and with scientists and researchers at the Samueli Institute; and

WHEREAS, the research program to be pursued by the collaborative consortial Chiropractic Center for Military Research will focus special, initial priority consideration on those musculoskeletal conditions that are affecting those

active duty military and veterans participating in or returning from combat in Afghanistan and Iraq, including the role of chiropractic manipulation in the total care of those with amputations and prosthetics:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, urge the United States Senate and the United States House of Representatives to authorize and appropriate full funding required to establish the proposed Chiropractic Center for Military Research at Logan College of Chiropractic at its campus in Chesterfield, Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Missouri Congressional delegation.

Committee on Judiciary, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 86**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 144**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 534**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Special Committee on Education Funding, Chairman Baker (123) reporting:

Mr. Speaker: Your Special Committee on Education Funding, to which was referred **SS SCS SB 287**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 970**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 57**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 194**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 233**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 362**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 468**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1**, and has taken up and passed **CCS SCS HB 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2**, and has taken up and passed **CCS SCS HCS HB 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 3**, as **amended**, and has taken up and passed **CCS SCS HCS HB 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 4**, and has taken up and passed **CCS SCS HCS HB 4**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 5**, and has taken up and passed **CCS SCS HCS HB 5**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 525**, entitled:

An act to repeal sections 105.466, 105.473, 105.485, 105.487, 105.489, 105.492, 105.957, 105.961, 105.963, 105.971, 105.973, 130.011, 130.021, 130.036, 130.041, 130.046, 130.049, 130.050, and 130.057, RSMo, and to enact in lieu thereof eighteen new sections relating to ethics, with penalty provisions.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 3 and Senate Amendment No. 6.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 525, Page 43, Section 130.062, Line 11, by inserting after all of said line the following:

“Section 1. The Missouri ethics commission shall study the effectiveness of current campaign contribution limits, independent expenditures and the current system of regulating campaign committees, political party

committees and other continuing committees. The commission shall hold hearings and elicit testimony on how the current campaign finance system can be improved. The commission shall report its findings to the general assembly no later than January 1, 2006. The provisions of this section shall expire on January 1, 2006.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND House Committee Substitute for House Bill No. 525, Page 19, Section 105.963, Line 59, by inserting after all of said line the following:

“115.315. 1. Sections 115.315 to 115.327 shall be known and may be cited as the “Fair Ballot Access Act”.

2. Any group of persons desiring to form a new political party throughout the state, or for any congressional district, state senate district, state representative district or circuit judge district, shall file a petition with the secretary of state. Any group of persons desiring to form a new party for any county shall file a petition with the election authority of the county.

3. Each page or a sheet attached to each page of each petition for the formation of a new political party shall:

(1) Declare concisely the intention to form a new political party in the state, district or county;

(2) State in not more than five words the name of the proposed party;

(3) [If presidential electors are to be nominated by petition, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled, and the name of their candidate for president and the name of their candidate for vice president shall be printed on each page or a sheet attached to each page of the petition. The names of the candidates for president and vice president may be added to the party name, but the names of the candidates for president and vice president shall not be printed on the official ballot without the written consent of such persons. Their written consent shall accompany and be deemed part of the petition;

(4)] Give a complete list of the names and addresses, including the street and number, of the chairman and treasurer of the party.

4. When submitted for filing, each petition shall contain the names and addresses of two people, not candidates, to serve as provisional chairman and treasurer for the party in the event the party becomes a new political party.

5. If the new party is to be formed for the entire state, which shall include being formed for all districts and counties in which the party has nominations so listed on its certified list of candidates required pursuant to section 115.327, then this statewide petition shall be signed by at least ten thousand registered voters of the state obtained at large.

6. If the new party is to be formed for any district or county, but not by the statewide method set out in subsection 5 of this section, then the petition shall be signed by the number of registered voters in the district or county which is equal to at least two percent of the total number of voters who voted at the last election for candidates for the office being sought or is equal to ten thousand voters, whichever is less.

115.327. When submitted for filing, each petition for the nomination of an independent candidate or for the formation of a new political party shall be accompanied by a declaration of candidacy for each candidate to be nominated by the petition or by the party, respectively. The party's duly authorized chairman and treasurer shall also submit a certified complete list of the names and addresses of all their candidates and the office for which each seeks. The party shall nominate its candidates in the manner prescribed in the party's bylaws. **If presidential electors are to be nominated, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled.** Each declaration of candidacy for the office of presidential elector shall be in the form provided in section 115.399. Each declaration of candidacy for an office other than presidential elector shall state the candidate's full name, residence address, office for which he proposes to be a candidate, the party, if any, upon whose ticket he is to be a candidate and that if nominated and elected he will qualify. Each such declaration shall be in substantially the following form:

I,, a resident and registered voter of the precinct of the town of or the precinct of the ward of the city of, or the precinct of township of the county of and the state of Missouri, do announce myself a candidate for the office of on the ticket, to be voted for at the general (special) election to be held on the day of, 20...., and I further declare that if nominated and elected I will qualify.

.....	Subscribed and sworn to
Signature of candidate	before me this
	day of, 20....
.....
Residence address	Signature of election
	official or officer
	authorized to administer
	oaths

Each such declaration shall be subscribed and sworn to by the candidate before the election official accepting the candidate's petition, a notary public or other officer authorized by law to administer oaths.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND House Committee Substitute for House Bill No. 525, Page 19, Section 105.963, Line 59, by inserting immediately after said line the following:

“115.157. 1. The election authority may place all information on any registration cards in computerized form in accordance with section 115.158. No election authority or secretary of state shall furnish to any member of the public electronic media or printout showing any registration information, except as provided in this section. Except as provided in subsection 2 of this section, the election authority or secretary of state shall make available electronic media or printouts showing unique voter identification numbers, voters' names, dates of birth, **date of voter registration**, addresses, townships or wards, and precincts. Electronic data shall be maintained in at least the following separate fields:

- (1) Voter identification number;
- (2) First name;
- (3) Middle initial;
- (4) Last name;
- (5) Suffix;
- (6) Street number;
- (7) Street direction;
- (8) Street name;
- (9) Street suffix;
- (10) Apartment number;
- (11) City;
- (12) State;
- (13) Zip code;
- (14) Township;
- (15) Ward;
- (16) Precinct;
- (17) Senatorial district;
- (18) Representative district;
- (19) Congressional district;
- (20) Date of voter registration.**

All election authorities shall enter voter history in their computerized registration systems and shall, not more than six months after the election, forward such data to the Missouri voter registration system established in section 115.158. In addition, election authorities shall forward registration and other data in a manner prescribed by the secretary of state to comply with the Help America Vote Act of 2002. Except as provided in subsection 2 of this section, the election authority shall also furnish, for a fee, electronic media or a printout showing the names, dates of birth and addresses of voters, or any part thereof, within the jurisdiction of the election authority who voted in any specific election, including primary elections, by township, ward or precinct, provided that nothing in this chapter shall require such voter information to be released to the public over the Internet. The amount of fees charged for information provided in this section shall be established pursuant to chapter 610, RSMo. All revenues collected by the secretary of state pursuant to this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account

established pursuant to section 28.160, RSMo. In even-numbered years, each election authority shall, upon request, supply the voter registration list for its jurisdiction to all candidates and party committees for a charge established pursuant to chapter 610, RSMo. Except as provided in subsection 2 of this section, all election authorities shall make the information described in this section available pursuant to chapter 610, RSMo. Any election authority who fails to comply with the requirements of this section shall be subject to the provisions of chapter 610, RSMo.

2. Any person working as an undercover officer of a local, state or federal law enforcement agency, persons in witness protection programs, and victims of domestic violence and abuse who have received orders of protection pursuant to chapter 455, RSMo, shall be entitled to apply to the circuit court having jurisdiction in his or her county of residence to have the residential address on his or her voter registration records closed to the public if the release of such information could endanger the safety of the person. Any person working as an undercover agent or in a witness protection program shall also submit a statement from the chief executive officer of the agency under whose direction he or she is serving. The petition to close the residential address shall be incorporated into any petition for protective order provided by circuit clerks pursuant to chapter 455, RSMo. If satisfied that the person filing the petition meets the qualifications of this subsection, the circuit court shall issue an order to the election authority to keep the residential address of the voter a closed record and the address may be used only for the purposes of administering elections pursuant to this chapter. The election authority may require the voter who has a closed residential address record to verify that his or her residential address has not changed or to file a change of address and to affirm that the reasons contained in the original petition are still accurate prior to receiving a ballot. A change of address within an election authority's jurisdiction shall not require that the voter file a new petition. Any voter who no longer qualifies pursuant to this subsection to have his or her residential address as a closed record shall notify the circuit court. Upon such notification, the circuit court shall void the order closing the residential address and so notify the election authority.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 & HA 2 to SB 367** and has taken up and passed **SB 367, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 490** and has taken up and passed **HCS SB 490**.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, May 5, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Amber H. Boykins, District 60, hereby state and affirm that my vote as recorded on Page 1415 of the House Journal for Tuesday, May 3, 2005, showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of May 2005.

/s/ Amber H. Boykins
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 4th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Michael Brown, District 50, hereby state and affirm that my vote as recorded on the motion to adopt the Conference Committee Report for Senate Committee Substitute for House Committee Substitute for House Bill No. 3 in the House Journal for Wednesday, May 4, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of May 2005.

/s/ Michael Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 4th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Thursday, May 5, 2005, Senate Lounge upon afternoon adjournment.
Public hearings to be held on: CCS SCS HB 1, CCS SCS HCS HB 2,
CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5,
CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8,
SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HB 12, SCS HB 13

CONFERENCE COMMITTEE NOTICE

Thursday, May 5, 2005, Senate Lounge upon evening adjournment.
Public hearing to be held on: HCS SS SCS SB 210

CONFERENCE COMMITTEE NOTICE

Friday, May 6, 2005, 9:00 a.m. Senate Lounge.
Public hearings to be held on: CCS SCS HB 1, CCS SCS HCS HB 2,
CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5,
CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8,
SCS HCS HB 9, SCS HCS HB 10, SCS HCS HB 11, SCS HB 12, SCS HB 13

FISCAL REVIEW

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 4.

Executive session on any bills or matters referred to the Fiscal Review Committee. CANCELLED

FISCAL REVIEW

Friday, May 6, 2005, 9:00 a.m. Hearing Room 4.

Executive session on any bills or matters referred to the Fiscal Review Committee.

LOCAL GOVERNMENT

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SS SB 220

RETIREMENT

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 5.

Executive session will follow.

Public hearing to be held on: SCR 13

RULES

Thursday, May 5, 2005, Hearing Room 6 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: SB 86, HCS SS SCS SB 144, HCS SS SCS SB 287

SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, May 5, 2005, 9:00 a.m. Hearing Room 1.

Executive session may follow.

HOUSE CALENDAR

SIXTY-NINTH DAY, THURSDAY, MAY 5, 2005

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 12 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)

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- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491 - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach
- 26 HCS HB 842 & 831 - Brooks
- 27 HB 875 - Moore
- 28 HCS#2 HB 131 - Schaaf
- 29 HCS HB 859 - Jetton
- 30 HB 925 - Salva
- 31 HCS HB 948 - Cooper (158)

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532 - Spreng
- 3 HB 952, E.C. - Icet

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 222 - Sutherland
- 2 SB 480, HPA 1, pending - Kraus
- 3 SB 518 - Cooper (155)
- 4 SCS SB 6 - Lager
- 5 HCS SB 38 - Ruestman

- 6 SB 122 - Wright (137)
- 7 SB 162 - Cooper (155)
- 8 HCS SB 174, E.C. - Bruns
- 9 HCS SB 177 - Behnen
- 10 HCS SCS SB 182 - Rector
- 11 SB 209 - Pearce
- 12 HCS SB 216 - Goodman
- 13 SCS SB 227 - Kuessner
- 14 HCS SCS SB 238 - Faith
- 15 SCS SB 247 - Bruns
- 16 SB 265 - Wood
- 17 SB 288 - Lager
- 18 SB 304 - Ervin
- 19 HCS SB 308 - Pollock
- 20 SB 317 - Smith (118)
- 21 SCS SB 354 - Schlottach
- 22 SB 357 - Johnson (47)
- 23 HCS SB 364, E.C. - Franz
- 24 HCS SCS SB 372 - Kuessner
- 25 SCS SB 374 - Zweifel
- 26 SB 396 - Sutherland
- 27 HCS SB 401 - Lembke
- 28 SB 418 - Lipke
- 29 HCS SB 422 - Yates
- 30 HCS SCS SB 423 - Lipke
- 31 HCS SCS SB 450, E.C. - Portwood
- 32 SCS SB 496 - Kelly
- 33 SCS SB 502, E.C. - Portwood
- 34 SB 521, as amended - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 70 - Richard
- 2 SB 488, HCA 1, pending - Robinson
- 3 SB 280 - Wasson
- 4 SB 286 - Kingery
- 5 SB 479 - May
- 6 SB 526 - Cunningham (145)
- 7 SB 180 - Cooper (158)
- 8 HCS SCS SB 260 - Baker (123)
- 9 SB 268 - Byrd
- 10 SB 274 - Richard
- 11 SS SCS SB 346 - Ruestman
- 12 HCS SS SB 95 - Hubbard
- 13 HCS SB 99 - Wood
- 14 SB 141 - Richard
- 15 HCS SS SCS SB 168 - Pratt

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- 16 HCS SB 173 - Hobbs
- 17 HCS SB 187 - Guest
- 18 HCS SB 192 - Robinson
- 19 HCS SCS SBs 221, 250 & 256 - St. Onge
- 20 SB 232, HCA 1 - Bivins
- 21 SCS SB 310 - Dixon
- 22 HCS SCS SB 319 - Roark
- 23 HCS SS SB 343 - Richard
- 24 SB 361 - Nance
- 25 SB 380 - Cunningham (86)
- 26 HCS SCS SBs 420 & 344 - Byrd (2 hours debate on Third Reading)
- 27 SB 431, E.C. - Sutherland
- 28 SCS SBs 23 & 51 - Threlkeld
- 29 HCS SS SCS SBs 74 & 49, E.C. - Cooper (155)
- 30 HCS SCS SB 161 - Chinn
- 31 HCS SS#2 SCS SB 225, E.C. - Hobbs
- 32 SB 254 - Tilley
- 33 HCS SCS SB 262 - Johnson (47)
- 34 HCS SCS SB 272 - Dempsey
- 35 HCS SCS SB 355, E.C. - Loehner
- 36 SB 358 - Richard
- 37 HCS SS SCS SB 462, E.C. - Schad
- 38 HCS SCS SB 500 - Lager
- 39 HCS SCS SB 57 - Wilson (130)
- 40 HCS SB 194 - Kraus
- 41 HCS SCS SB 233 - Nance
- 42 HCS SCS SB 468 - Icet

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)
- 4 SCS HCS HB 515 - Wood
- 5 SCS HB 638 - Cunningham (86)
- 6 SCS HB 685, E.C. - Franz
- 7 SCS HB 361 & HB 684 - Lipke
- 8 SCS HB 688 - Byrd
- 9 HCS HB 630, SPA 1 - Pollock
- 10 SCS HCS HB 362 - Lipke
- 11 SCS HB 456 - Kuessner
- 12 SCS HB 450 - Meiners
- 13 SCS HB 53 - Swinger
- 14 SCS HB 423 - Kuessner
- 15 SS SCS HCS HB 441, E.C. - Lipke
- 16 SCS HB 528 - Cunningham (145)
- 17 SCS HB 618 - Bearden

- 18 SCS HCS HB 297 - Pearce
- 19 SCS HCS HB 443 - Sander
- 20 SCS HCS#2 HB 232 - Portwood
- 21 SCS HB 229 - Portwood
- 22 HCS HB 525, SSA 1 for SA 1, SA 3 & SA 6 - May

BILLS IN CONFERENCE

- 1 CCR SCS HCS HB 9 - Lager
- 2 CCR SCS HCS HB 10, as amended - Lager
- 3 CCR SCS HCS HB 11, as amended - Lager
- 4 CCR SCS HB 12, as amended - Lager
- 5 CCR SCS HB 13 - Lager
- 6 HCS SS SCS SB 210, as amended - Johnson (47)
- 7 HCS SCS#2 SB 155, as amended - Kingery

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

- 1 HCR 14, (4-26-05, Pages 1277-1278) - Zweifel
- 2 HJR 23 - Emery

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SIXTY-NINTH DAY, THURSDAY, MAY 5, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Paul Woody, Staff of Representative Paul LeVota.

It helps, now and then, to step back and take a long view.

The kingdom is not only beyond our efforts, it is even beyond our vision.

We accomplish in our lifetime only a tiny fraction of the magnificent enterprise that is God's work. Nothing we do is complete, which is a way of saying that the kingdom always lies beyond us. No statement says all that could be said. No prayer fully expresses our faith. No confession brings perfection. No pastoral visit brings wholeness. No program accomplishes the church's mission. No set of goals and objectives includes everything.

This is what we are about. We plant the seeds that one day will grow. We water seeds already planted, knowing that they hold future promise.

We lay foundations that will need further development. We provide yeast that produces far beyond our capabilities. We cannot do everything and there is a sense of liberation in realizing that. This enables us to do something, and to do it very well. It may be incomplete, but it is a beginning, a step along the way, an opportunity for the Lord's grace to enter and do the rest.

We may never see the end results, but that is the difference between the master builder and the worker.

We are workers, not master builders; ministers, not messiahs. We are prophets of a future not our own.

Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christopher James Kessler, Cory Lewis, Amanda Rhodes, Lloyd Byrd, Suzanne Myszkowski, Augusta Vinson, Makayla McGruder, Ellie McGruder, Olivia Huett, Jasmine Kille and Matt Henderson.

The Journal of the sixty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2933 - Representative Portwood
House Resolution No. 2934 - Representative McGhee

House Resolution No. 2935
and
House Resolution No. 2936 - Representative Nieves
House Resolution No. 2937
and
House Resolution No. 2938 - Representative Nolte
House Resolution No. 2939
and
House Resolution No. 2940 - Representative Wasson
House Resolution No. 2941 - Representative Aull
House Resolution No. 2942 - Representative Tilley
House Resolution No. 2943 - Representative Kingery
House Resolution No. 2944 - Representative Lipke
House Resolution No. 2945
through
House Resolution No. 2957 - Representative Black
House Resolution No. 2958
through
House Resolution No. 2961 - Representative Lager
House Resolution No. 2962 - Representative Guest
House Resolution No. 2963 - Representative Viebrock
House Resolution No. 2964 - Representative Schaaf
House Resolution No. 2965 - Representative Wilson (119)
House Resolution No. 2966 - Representative Guest
House Resolution No. 2967 - Representative Baker (25)
House Resolution No. 2968 - Representative Donnelly
House Resolution No. 2969 - Representative Richard
House Resolution No. 2970 - Representative Brown (30)
House Resolution No. 2971 - Representative Nieves
House Resolution No. 2972 - Representative Bland

BILLS IN CONFERENCE

CCR SCS HCS HB 9, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **CCR SCS HCS HB 9** was adopted by the following vote:

AYES: 098

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner

Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 062

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean	Hubbard
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VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 9** was read the third time and passed by the following vote:

AYES: 098

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick

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Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 062

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean	Hubbard
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 10, as amended, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **CCR SCS HCS HB 10, as amended**, was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Icet	Jackson	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Marsh	May	McGhee	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schlottach	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld

Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 072

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Deeken	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kratky
Kuessner	Lampe	LeVota	Liese	Loehner
Low 39	Lowe 44	Meadows	Meiners	Moore
Oxford	Page	Robinson	Roorda	Rucker
Salva	Schad	Schneider	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean	Parker
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VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 10** was read the third time and passed by the following vote:

AYES: 086

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Icet	Jackson	Kelly	Kingery
Lager	Lembke	Lipke	Marsh	May
McGhee	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schlottach	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

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NOES: 074

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Deeken	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Loehner	Low 39	Lowe 44	Meadows	Meiners
Moore	Oxford	Page	Parker	Robinson
Roorda	Rucker	Salva	Schad	Schneider
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean Fisher

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 11, as amended, relating to appropriations, was taken up by Representative Lager.

CCR SCS HCS HB 11, as amended, was laid over.

RECESS

On motion of Representative Dempsey, the House recessed until 1:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

BILLS IN CONFERENCE

CCR SCS HCS HB 11, as amended, relating to appropriations, was again taken up by Representative Lager.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 064

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

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On motion of Representative Lager, **CCR SCS HCS HB 11, as amended**, was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bearden	Behnen	Bivins
Brown 30	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke
Lipke	Loehner	May	McGhee	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sater	Schaaf	Schlottach
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 073

Aull	Baker 25	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Deeken	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Moore	Oxford	Page
Parker	Portwood	Robinson	Roorda	Rucker
Salva	Sander	Schad	Schneider	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

On motion of Representative Lager, **CCS SCS HCS HB 11** was read the third time and passed by the following vote:

AYES: 089

Avery	Baker 123	Bearden	Behnen	Bivins
Brown 30	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke
Lipke	Loehner	May	McGhee	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sater	Schaaf
Schad	Schlottach	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 071

Aull	Baker 25	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Deeken	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Moore	Oxford	Page
Parker	Robinson	Roorda	Rucker	Salva
Sander	Schneider	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 001

Marsh

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HB 12, as amended, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **CCR SCS HB 12, as amended**, was adopted by the following vote:

AYES: 099

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 062

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

On motion of Representative Lager, **CCS SCS HB 12** was read the third time and passed by the following vote:

AYES: 099

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 062

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HB 13, relating to appropriations, was taken up by Representative Lager.

On motion of Representative Lager, **CCR SCS HB 13** was adopted by the following vote:

AYES: 109

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Boykins	Brown 30	Bruns
Byrd	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Kuessner
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Rucker	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Skaggs
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wagner
Wallace	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 052

Baker 25	Bland	Bowman	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Roorda	Salva	Schoemehl	Selby
Shoemyer	Spreng	Storch	Swinger	Villa
Vogt	Walsh	Walton	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

On motion of Representative Lager, **CCS SCS HB 13** was read the third time and passed by the following vote:

AYES: 108

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Boykins	Brown 30	Bruns
Byrd	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Skaggs	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wagner	Wallace
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 053

Baker 25	Bland	Bowman	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Roorda	Salva	Schoemehl
Selby	Shoemyer	Spreng	Storch	Swinger
Villa	Vogt	Walsh	Walton	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 001

Bean

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 19**, entitled:

An act to appropriate money for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENT

SCS HCS HB 19, relating to appropriations, was taken up by Representative Lager.

Representative Lager moved that **SCS HCS HB 19** be adopted.

Representative Salva made a substitute motion that the House refuse to adopt **SCS HCS HB 19** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was defeated.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 063

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean El-Amin

VACANCIES: 001

On motion of Representative Lager, **SCS HCS HB 19** was adopted by the following vote:

AYES: 083

Baker 123	Bearden	Behnen	Black	Brown 30
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Johnson 47	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Viebrock	Wallace
Wasson	Weter	Wilson 119	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 077

Aull	Avery	Baker 25	Bivins	Bland
Bowman	Boykins	Bringer	Brooks	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Day	Donnelly	Dougherty
Dusenberg	Fisher	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Jackson	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Marsh	Meadows

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Meiners	Oxford	Page	Pollock	Portwood
Robinson	Roorda	Rucker	Salva	Schaaf
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Tilley	Villa	Vogt
Wagner	Walsh	Walton	Wells	Whorton
Wildberger	Wilson 130	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 002

Bean El-Amin

VACANCIES: 001

On motion of Representative Lager, **SCS HCS HB 19** was truly agreed to and finally passed by the following vote:

AYES: 082

Baker 123	Bearden	Behnen	Black	Brown 30
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Johnson 47	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Viebrock	Wallace
Wasson	Weter	Wilson 119	Wood	Wright 137
Wright 159	Mr Speaker			

NOES: 077

Aull	Avery	Baker 25	Bivins	Bland
Bowman	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Day	Donnelly	Dougherty	Dusenberg
Fisher	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Jackson	Johnson 61	Johnson 90	Jolly	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Marsh	Meadows	Meiners
Oxford	Page	Pollock	Portwood	Robinson
Roorda	Rucker	Salva	Schaaf	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Tilley	Villa	Vogt	Wagner

Walsh	Walton	Wells	Whorton	Wildberger
Wilson 130	Witte	Wright-Jones	Yaeger	Yates
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Bean	Boykins	El-Amin
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 859, relating to prescription drugs from Canada, was taken up by Representative Jetton.

On motion of Representative Jetton, **HCS HB 859** was adopted.

On motion of Representative Jetton, **HCS HB 859** was ordered perfected and printed.

HCS HB 491, relating to the Missouri State Park Board, was taken up by Representative McGhee.

Representative Cooper (120) assumed the Chair.

Speaker Jetton assumed the Chair

Representative Vogt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 491, Section 253.414, Page 5, Line 34, by inserting after all of said line the following:

“4. No historic property shall allow the public display of any symbol that represents any sovereign nation that waged war within the state of Missouri and caused the deaths of Missouri citizens who remained loyal to the United States of America at the time of such war.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 055

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meiners	Oxford	Page	Robinson	Rucker
Schoemehl	Selby	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	Young

PRESENT: 000

ABSENT WITH LEAVE: 012

Bean	Boykins	El-Amin	Marsh	Meadows
Roark	Roorda	Salva	Shoemyer	Swinger
Wildberger	Zweifel			

VACANCIES: 001

Representative Vogt moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Avery	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Byrd
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Day	Dixon	Donnelly	Fares
Flook	Fraser	George	Guest	Harris 23
Haywood	Hoskins	Hubbard	Hughes	Johnson 47
Johnson 61	Johnson 90	Jolly	Kratky	Kraus
Lampe	LeVota	Liese	Low 39	Lowe 44
Meiners	Muschany	Oxford	Page	Parker
Rucker	Rupp	Schaaf	Schoemehl	Selby
Skaggs	Spreng	St. Onge	Storch	Villa
Vogt	Walsh	Walton	Wildberger	Wright-Jones
Young				

NOES: 077

Baker 123	Bearden	Behnen	Bivins	Black
Brown 30	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Davis	Deeken	Dempsey
Denison	Dethrow	Dusenberg	Emery	Ervin
Faith	Fisher	Franz	Goodman	Harris 110
Hobbs	Hunter	Ice	Jackson	Jones
Kelly	Kingery	Kuessner	Lager	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Pratt
Quinn	Rector	Richard	Robb	Ruestman
Sander	Sater	Schad	Schlottach	Schneider
Self	Smith 14	Smith 118	Stevenson	Tilley
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Whorton	Wilson 130	Witte	Wright 159
Yates	Mr Speaker			

PRESENT: 012

Aull	Cunningham 86	Dougherty	Henke	Robinson
Silvey	Stefanick	Sutherland	Threlkeld	Wilson 119
Wood	Yaeger			

ABSENT WITH LEAVE: 012

Bean	El-Amin	Marsh	Meadows	Portwood
Roark	Roorda	Salva	Shoemyer	Swinger
Wright 137	Zweifel			

VACANCIES: 001

Representative Bowman requested a division of the question on **HCS HB 491**.

Representative Hoskins offered **House Amendment No. 1 to Part I.**

House Amendment No. 1

AMEND Part I of House Committee Substitute for House Bill No. 491, Page 2, Section 253.411, Lines 16 & 41, by deleting the word “Flag”; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

Representative Hoskins moved that **House Amendment No. 1 to Part I** be adopted.

Which motion was defeated by the following vote:

AYES: 059

Baker 25	Bland	Bowman	Boykins	Bringer
Brooks	Brown 50	Burnett	Byrd	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Curls	Darrough
Daus	Donnelly	Ervin	Fares	Flook
Fraser	George	Harris 23	Haywood	Hoskins
Hubbard	Hughes	Johnson 47	Johnson 61	Johnson 90
Kratky	Kraus	Lampe	LeVota	Liese
Low 39	Lowe 44	Meiners	Oxford	Page
Parker	Rucker	Rupp	Schaaf	Schoemehl
Selby	Silvey	Skaggs	Spreng	St. Onge
Storch	Villa	Vogt	Walsh	Walton
Wildberger	Wright-Jones	Yaeger	Young	

NOES: 082

Avery	Baker 123	Bearden	Behnen	Bivins
Brown 30	Bruns	Chinn	Cooper 120	Cooper 158
Cunningham 145	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Faith	Fisher	Franz	Goodman
Guest	Harris 110	Hobbs	Hunter	Icet
Jackson	Jones	Kelly	Kingery	Kuessner
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Nance	Nieves
Parson	Pearce	Phillips	Pollock	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Ruestman	Sander	Sater	Schad
Schlottach	Schneider	Self	Smith 14	Smith 118
Stefanick	Stevenson	Sutherland	Threlkeld	Viebrock
Wagner	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wright 159
Yates	Mr Speaker			

PRESENT: 010

Aull	Cunningham 86	Henke	Jolly	Meadows
Muschany	Nolte	Roorda	Tilley	Wood

ABSENT WITH LEAVE: 011

Bean	Black	El-Amin	Marsh	Myers
Portwood	Salva	Shoemyer	Swinger	Wright 137
Zweifel				

VACANCIES: 001

HCS HB 491, with Part I, Part II and Part III, pending, was laid over.

Representative Behnen assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 58**, entitled:

An act to repeal sections 44.090, 49.093, 49.272, 50.343, 50.530, 50.760, 50.770, 50.780, 52.317, 54.010, 54.280, 54.320, 54.330, 55.160, 59.005, 64.215, 65.110, 65.160, 65.460, 65.490, 65.600, 67.469, 67.1003, 67.1062, 67.1067, 67.1069, 67.1070, 67.1350, 67.1401, 67.1451, 67.1754, 67.1775, 67.1850, 71.794, 82.291, 82.1025, 94.270, 94.700, 100.050, 100.059, 105.711, 115.019, 136.010, 136.160, 137.078, 137.115, 137.465, 137.585, 137.720, 138.100, 139.040, 139.055, 139.120, 139.350, 139.400, 139.420, 139.430, 139.440, 139.450, 139.460, 140.150, 165.071, 190.010, 190.015, 190.090, 190.292, 190.335, 205.010, 210.860, 210.861, 217.905, 231.444, 233.295, 242.560, 245.205, 247.060, 247.180, 249.1152, 249.1154, 250.140, 263.245, 278.240, 301.025, 320.121, 321.120, 321.190, 321.322, 321.603, 349.045, 447.620, 447.622, 447.625, 447.640, 473.770, 473.771, 488.2220, 559.607, RSMo, and section 137.130 as enacted by conference committee substitute for house substitute for senate substitute for senate committee substitute for senate bill no. 19, ninetieth general assembly, first regular session and as enacted by conference committee substitute for house committee substitute for senate bill no. 219, ninetieth general assembly, first regular session, and to enact in lieu thereof one hundred thirty-three new sections relating to political subdivisions, with penalty provisions and an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 1 to Senate Amendment No. 5, Senate Amendment No. 5, as amended, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 15, Senate Amendment No. 16, Senate Amendment No. 17, Senate Amendment No. 18, Senate Amendment No. 19, Senate Amendment No. 20, Senate Amendment No. 21, Senate Amendment No. 22, Senate Amendment No. 23, Senate Amendment No. 25, Senate Amendment No. 26, Senate Amendment No. 27, Senate Amendment No. 28, Senate Amendment No. 29, Senate Amendment No. 30, Senate Amendment No. 31, Senate Amendment No. 32, Senate Amendment No. 33, Senate Amendment No. 35, Senate Amendment No. 36, Senate Amendment No. 37, Senate Amendment No. 38 and Senate Amendment No. 39.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 81, Section 94.270, Line 8, by inserting after all of said line the following:

“94.660. 1. The governing body of any city not within a county and any county of the first classification having a charter form of government with a population of over nine hundred thousand inhabitants may propose, by ordinance or order, a transportation sales tax of up to [one-half of] one percent for submission to the voters of that city or county at an authorized election date selected by the governing body.

2. Any sales tax approved under this section shall be imposed on the receipts from the sale at retail of all tangible personal property or taxable services within the city or county adopting the tax, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525, RSMo.

3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county/city of(county's or city's name) impose a county/city-wide sales tax of percent for the purpose of providing a source of funds for public transportation purposes?

☐ YES

☐ NO

Except as provided in subsection 4 of this section, if a majority of the votes cast in that county or city not within a county on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall go into effect on the first day of the next calendar quarter beginning after its adoption and notice to the director of revenue, but no sooner than thirty days after such adoption and notice. If a majority of the votes cast in that county or city not within a county by the qualified voters voting thereon are opposed to the proposal, then the additional sales tax shall not be imposed to the proposal, then the additional sales tax shall not be imposed in that county or city not within a county unless and until the governing body of that county or city not within a county shall have submitted another proposal to authorize the local option transportation sales tax authorized in this section, and such proposal is approved by a majority of the qualified voters voting on it. In no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal.

4. No tax shall go into effect under this section in any city not within a county or any county of the first classification having a charter form of government with a population over nine hundred thousand inhabitants unless and until both such city and such county approve the tax.

5. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Public Transit Sales Tax Trust Fund". The sales taxes shall be collected as provided in section 32.087, RSMo, The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax, and such funds shall be deposited with the treasurer of each such city or county and all expenditures of funds arising from the county public transit sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or city not within a county.

6. The revenues derived from any transportation sales tax under this section shall be used only for the planning, development, acquisition, construction, maintenance and operation of public transit facilities and systems other than highways.

7. The director of revenue may authorize the state treasurer to make refunds from the amount in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 230, Section 349.045, Line 26, by inserting after all of said line the following:

"409.107. [No] Any investment firm[, legal] offering municipal bond underwriting of financial advisory services or any law firm offering bond counsel services, or any persons having an interest in any such firms shall [be involved in any manner in the issuance of bonds authorized by an election in which the firm or person made any contribution of any kind whatsoever to any campaign in support of the bond election] limit their contributions in the campaign in support of a general obligation bond election to an in-kind nature consisting of organization

suggestions, promotional materials development, preparation of suggested election strategies, attendance at public forums to answer questions regarding the financing and legal issues involved, and other activities that do not involve any direct financial contributions.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 181, Section 198.345, Line 24 of said page, by striking “assisted living facilities” and inserting in lieu thereof the following:

“apartments for seniors that provide at a minimum housing, food services, and emergency call buttons to the apartment residents”; and

Further amend said bill and section, Page 182, Line 2 of said page, by striking the following:

“For purposes”; and

Further amend Lines 3-10 of said page, by striking all of said lines and inserting in lieu thereof the following:

“Such nursing home districts shall not lease such apartments for less than fair market rent as reported by the United States Department of Housing and Urban Development.”.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 230, Section 349.045, Line 26 of said page by inserting after all of said line the following:

“393.015. 1. Notwithstanding any other provision of law to the contrary, any sewer corporation, municipality or sewer district established under the provisions of chapter 249 or 250, RSMo, or sections 204.250 to 204.470, RSMo, or any sewer district created and organized pursuant to constitutional authority, may contract with any water corporation[, municipality, or public water supply district established under chapter 247, RSMo,] to terminate water services to any customer premises for nonpayment of a sewer bill. No such termination of water service may occur until thirty days after the sewer corporation, municipality or statutory sewer district or sewer district created and organized pursuant to constitutional authority sends a written notice to the customer by certified mail, except that if the water corporation[, municipality or public water supply district] is performing a combined water and sewer billing service for the sewer corporation, municipality or sewer district, no additional notice or any additional waiting period shall be required other than the notice and waiting period already used by the water corporation[, municipality or public water supply district] to disconnect water service for nonpayment of the water bill. Acting pursuant to a contract, the water corporation[, municipality or public water supply district] shall discontinue water service until such time as the sewer charges and all related costs of termination and reestablishment of sewer and water services are paid by the customer.

2. A water corporation[, municipality, or public water supply district] acting pursuant to a contract with a sewer corporation, municipality or sewer district as provided in subsection 1 of this section shall not be liable for damages related to termination of water services unless such damage is caused by the negligence of such water corporation[, municipality, or public water supply district], in which case the water corporation[, municipality, or public water supply district] shall be indemnified by the sewer corporation, municipality or sewer district. Unless otherwise specified in the contract, all costs related to the termination and reestablishment of services by the water corporation[, municipality or public water supply district] shall be reimbursed by the sewer corporation, municipality, sewer district or sewer district created and organized pursuant to constitutional authority.

393.016. 1. Notwithstanding any other provision of law, any municipality providing water, or any water district established under chapter 247, RSMo, which in this section shall sometimes be designated as a water provider, shall upon request of any municipality providing sewer service or public sewer district established under chapter 249 or 250, RSMo, or sections 204.250 to 204.470, RSMo, or any sewer district created and organized under constitutional authority, which in this section shall sometimes be designated as a sewer provider,

contract with such sewer provider to terminate water services to any water user of such water provider for nonpayment of a delinquent sewer bill owed to such sewer provider.

2. Any water provider, or independent contractor acting for a water provider, acting under a contract with a sewer provider under this section shall be exempt from all civil liability whatsoever arising from or related to termination of water services under any such contract.

3. In the event that any water provider and any sewer provider are unable to reach an agreement as provided in this section within six months of the receipt of such request by the water provider, then the sewer provider making the written request may file with the circuit court in which such water provider was incorporated, or if such water provider was not incorporated by a circuit court, then with a circuit court having jurisdiction of the water provider, a petition requesting that three commissioners be selected to draft such an agreement.

4. Any agreement drafted by the commissioners or entered into under this section shall contain the following provisions:

(1) The rules and regulations or ordinances of the sewer provider shall provide that the number of days of delinquency required before water service is discontinued for failure to pay for sewage service shall be equal to the number of days of delinquency required before water service is discontinued for failure to pay for water service under the rules and regulations of the water provider;

(2) The water provider shall not be required to discontinue water service to the sewer user for failure to pay the charges or rental due therefor unless the sewer provider shall first give a written notice to the water provider to do so. Such notice shall include the due date, amount of the delinquent bill, and all penalties and interest thereon. When payment of such amount is received by the water provider the provider shall restore water service to the water and sewer user, provided the water bill of such user owed to the water provider is not delinquent;

(3) The sewer provider shall at all times keep in force a general comprehensive public liability and property damage policy issued by a company authorized to do business in Missouri with policy limits equal to or in excess of those set forth in section 537.610, RSMo, shall include the water provider and any independent contractor who performs such agreement under contract with the water provider thereon as an additional insured, and shall furnish the water provider and such independent contractor a certificate of insurance evidencing such insurance is in effect. If at any time it fails to do so and furnish such certificate of insurance to the water provider and such independent contractor, the water provider and such independent contractor may cease to make water service terminations until such requirement is satisfied.

(4) The agreement shall provide that any loss of revenue incurred by the water provider as a result of discontinuing water service because of the failure of any sewage user to pay the charges or rental therefor shall be paid to the water provider by the sewer provider. Such amounts include, but are not limited to, loss of revenue by the water provider caused by disconnection of water service for a sewer bill delinquency when the water bill is not delinquent;

(5) When a water provider is collecting delinquent amounts for both the water and sewer service, all delinquent payments due to both the water and sewer provider shall be received by the water provider before water service is restored. If for any reason water service is never restored, any amount collected for delinquent accounts due both water and sewer provider shall be divided between the water provider and the sewer provider so that each receives the percentage of the amount owed to it;

(6) The agreement shall provide that in the event the water provider or any independent contractor who performs such agreement under contract with the water provider incurs attorney fees or other costs not covered by insurance as a result of any claim, litigation, or threatened litigation against the water provider or independent contractor which exceeds the limits of insurance coverage provided to the water provider or independent contractor by the sewer provider as stated in this section, the sewer provider shall reimburse such amounts to the water provider or independent contractor;

(7) The agreement shall contain a provision providing that the expense and cost of the water provider shall be recalculated annually and that the amount due it during the subsequent year shall be increased or decreased according to any change occurring in the costs and expenses; alternatively, upon agreement of the parties to the agreement, the agreement may provide for annual increases or decreases based upon the percentage of increase or decrease in the National Consumers Price Index for All Urban Consumers, unadjusted for seasonal variation, as published by the United States Department of Labor for the most recent date prior to the annual anniversary date of the execution of the agreement;

(8) All expense and cost incurred by the water provider in performing or carrying out the agreement shall be reimbursed to the water provider by the sewer provider. The reimbursement shall be made monthly, bi-

monthly, or quarterly. In determining such expense incurred by the water provider, the commissioners shall consider the following items of expense, whether such items will be incurred by the water provider, at the time the agreement is executed or in the future, and if so, the amount of such expense attributable to such agreement at the time such agreement is executed and in the future:

(a) All personnel expense including, but not limited to, wages and salaries, employment taxes, retirement benefits, employment benefits, health insurance, and workers' compensation insurance;

(b) All expense incurred by payments to independent contractors who perform or carry out the agreement under contract with the water provider;

(c) Equipment expenses;

(d) Computer and computer program expense;

(e) Office space expense;

(f) Insurance expense attributable to the agreement between the water provider and the sewer provider, including the additional insurance expense of any independent contractor who performs or carries out the agreement under contract with such water provider;

(g) All other expense attributable to the agreement between the water and sewer provider;

(9) The agreement shall terminate in twenty years unless a different term is agreed upon by the parties. Upon termination, the parties may agree to an extension thereof, not to exceed an additional twenty years;

(10) If ownership of either the sewer system of the sewer provider or the water system of the water provider is transferred to another entity or person, the agreement shall terminate at the time of the transfer, unless the new owner and remaining owner agree otherwise.

5. Upon the filing of such petition, the sewer provider shall appoint one commissioner. The water provider shall appoint a commissioner within thirty days of the service of the petition upon it. If the water provider fails to appoint a commissioner within such time period, the court shall appoint a commissioner on behalf of the water provider within forty-five days of service of the petition on the water provider. The two named commissioners shall agree to appoint a third commissioner within thirty days after the appointment of the second commissioner, but in the event that they fail to do so, the court shall appoint a third commissioner within sixty days after the appointment of the second commissioner.

6. The commissioners shall draft an agreement between the water provider and sewer provider meeting the requirements established in this section. Before drafting such agreement, the water provider and sewer provider shall be given an opportunity to present evidence and information pertaining to such agreement at a hearing to be held by the commissioners, of which each party shall receive fifteen days written notice. The hearing may be continued from time to time by the commissioners. The commissioners shall consider all evidence and information submitted to them and prepare such agreement as provided under this section. The agreement shall be submitted to the court within ninety days of the selection or appointment of the last commissioner as provided under this section.

7. If the court finds that the agreement is fair, reasonable, and meets the requirements of this section, then the court shall enter its judgment approving the agreement and order it to become effective sixty days after the date of such judgment. If the court finds such agreement is not fair and reasonable or does not meet the requirements of this section, the court shall return it to the commissioners with its reasons for rejecting the agreement. The commissioners shall make the required changes and resubmit the agreement to the court. Upon approval of the agreement by the court, judgment shall be entered approving the agreement and ordering it to become effective sixty days after the date of such judgment. Thereafter, the parties shall abide by such agreement. If either party fails to do so, the other party may file an action to compel compliance. Venue shall be in the court issuing such judgment.

8. The judgment and order of the court shall be subject to appeal as provided by law. All costs, including commissioners' compensation, shall be taxed to and paid by the sewer provider requesting an agreement. The court shall also order payment of a reasonable attorney fee and fees of expert witnesses of the water provider by the sewer provider to the water provider.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 132, Section 136.160, Line 2, by inserting immediately after said line the following:

“137.073. 1. As used in this section, the following terms mean:

(1) “General reassessment”, changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) “Tax rate”, “rate”, or “rate of levy”, singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) “Tax rate ceiling”, a tax rate as revised by the taxing authority to comply with the provisions of this section or when a court has determined the tax rate; except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, RSMo, less all adjustments required pursuant to article X, section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) “Tax revenue”, when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term “tax revenue” shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, RSMo, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes pursuant to chapter 67, RSMo, shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505, RSMo, and section 164.013, RSMo, **or as excess home dock city or county fees as provided in subsection 4 of section 313.820, RSMo**, in the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term “tax revenue”, as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books for any personal property, in the aggregate, or for any subclass of real property as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation of each subclass of real property, individually, and personal property, in the aggregate, exclusive of new construction and improvements. All political subdivisions shall immediately revise the applicable rates of levy for each purpose for each subclass of real property, individually, and personal property, in the aggregate, for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year for each subclass of real property, individually, and personal property, in the aggregate, except that the rate may not exceed the greater of the rate in effect in the 1984 tax year or the most recent voter-approved rate. Such tax revenue shall not include any receipts from ad valorem levies on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property. Where the taxing authority is a school district for the purposes of revising the applicable rates of levy for each subclass of real property, the tax revenues from state-assessed railroad and utility property shall be apportioned and attributed to each subclass of real property based on the percentage of the total assessed valuation of the county that each subclass of real property represents in the current taxable year. As provided in section 22 of article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor for any such subclass of real property or personal property shall be limited to the actual assessment growth in such subclass or class, exclusive of new construction and improvements, and exclusive of the assessed value on any real property which was assessed by the assessor of a county or city in the current year in a different subclass of real property, but not to exceed the consumer price index or five percent, whichever is lower. Should the tax revenue of a political subdivision from the various tax rates determined in this subsection be different than the tax revenue that would have

been determined from a single tax rate as calculated pursuant to the method of calculation in this subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of those subclasses of real property, individually, and/or personal property, in the aggregate, in which there is a tax rate reduction, pursuant to the provisions of this subsection. Such revision shall yield an amount equal to such difference and shall be apportioned among such subclasses of real property, individually, and/or personal property, in the aggregate, based on the relative assessed valuation of the class or subclasses of property experiencing a tax rate reduction. Such revision in the tax rates of each class or subclass shall be made by computing the percentage of current year adjusted assessed valuation of each class or subclass with a tax rate reduction to the total current year adjusted assessed valuation of the class or subclasses with a tax rate reduction, multiplying the resulting percentages by the revenue difference between the single rate calculation and the calculations pursuant to this subsection and dividing by the respective adjusted current year assessed valuation of each class or subclass to determine the adjustment to the rate to be levied upon each class or subclass of property. The adjustment computed herein shall be multiplied by one hundred, rounded to four decimals in the manner provided in this subsection, and added to the initial rate computed for each class or subclass of property. Notwithstanding any provision of this subsection to the contrary, no revision to the rate of levy for personal property shall cause such levy to increase over the levy for personal property from the prior year.

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, RSMo, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling for the particular subclass of real property or for personal property, in the aggregate, in the prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate for the particular subclass of real property or for personal property, in the aggregate, after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive for the three-year period preceding such determination.

4. (1) In order to implement the provisions of this section and section 22 of article X of the Constitution of Missouri, the term "improvements" shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, RSMo, sections 135.200 to 135.255, RSMo, and section 353.110, RSMo, shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. Notwithstanding any opt-out implemented pursuant to subsection 15 of section 137.115, the assessor shall certify the amount of new construction and improvements and the amount of assessed value on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property separately for each of the three subclasses of real property for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and

section 22, article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on June first of each year over the immediately preceding prior twelve-month period in order that political subdivisions shall have this information available in setting their tax rates according to law and section 22 of article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and section 22 of article X of the Missouri Constitution, the term "property" means all taxable property, including state assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or section 22 of article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and section 22 of article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of section 10(c) of article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to section 22 of article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with section 22 of article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo, shall be applied to the tax rate as established pursuant to this section and section 22 of article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be the current tax rate ceiling. The increased tax rate ceiling as approved may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate.

(3) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval.

6. (1) For the purposes of calculating state aid for public schools pursuant to section 163.031, RSMo, each taxing authority which is a school district shall determine its proposed tax rate as a blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first determining the total tax revenue of the property within the jurisdiction of the taxing authority, which amount shall be equal to the sum of the products of multiplying the assessed valuation of each class and subclass of property by the corresponding tax rate for such class or subclass, then dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then multiplying the resulting quotient by a factor of one-hundred. Where the taxing authority is a school district, such blended rate shall also be used by such school district for calculating revenue from state-assessed railroad and utility property as defined in chapter 151, RSMo, and for apportioning the tax rate by purpose.

(2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest one-tenth of a cent, unless its proposed tax rate is in excess of one dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-hundredth of a cent, it shall round up a fraction greater than or equal to five/one-thousandth of one cent to the next higher one/one-hundredth of a cent; if a taxing authority shall round to one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. Any taxing authority levying a property tax rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. All forms for the calculation of rates pursuant to this section shall be promulgated as a rule and shall not be incorporated by reference. Within thirty days after the effective date of this act, the state auditor shall promulgate rules for any and all forms for the calculation of rates pursuant to this section which do not currently exist in rule form or that have been incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be *prima facie* valid if, after making the payment for which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed

the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031, RSMo. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. A taxing authority, including but not limited to a township, county collector, or collector of taxes, responsible for determining and collecting the amount of residential real property tax levied in its jurisdiction, shall report such amount of tax collected by December thirty-first of each year such property is assessed to the state tax commission. The state tax commission shall compile the tax data by county or taxing jurisdiction and submit a report to the general assembly no later than January thirty-first of the following year.

11. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the

effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.”; and

Further amend said bill, page ____, section ____, line ____, by inserting immediately after said line the following:

“313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) “Adjusted gross receipts”, the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) “Applicant”, any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) “Bank”, the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) **“Capital, cultural, and special law enforcement purpose expenditures”, shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;**

[(4)] (5) “Cheat”, to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

[(5)] (6) “Commission”, the Missouri gaming commission;

[(6)] (7) “Dock”, the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(7)] (8) “Excursion gambling boat”, a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

(9) “Fiscal year”, shall for the purposes of subsections 3 and 4 of section 313.820, mean the fiscal year of a home dock city or county;

[(8)] (10) “Floating facility”, any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(9)] (11) “Gambling excursion”, the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(10)] (12) “Gambling game” includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(11)] (13) “Games of chance”, any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(12)] (14) “Games of skill”, any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as “poker”, “blackjack” (twenty-one), “craps”, “Caribbean stud”, “pai gow poker”, “Texas hold'em”, “double down stud”, and any video representation of such games;

[(13)] (15) “Gross receipts”, the total sums wagered by patrons of licensed gambling games;

[(14)] (16) “Holder of occupational license”, a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(15)] (17) “Licensee”, any person licensed under sections 313.800 to 313.850;

[(16)] (18) “Mississippi River” and “Missouri River”, the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

(19) “Supplier”, a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill referred to in subdivision [(12)] (14) of subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

- (1) Is it in the best interest of gaming to allow the game; and
- (2) Is the gambling game a game of chance or a game of skill?

All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.820. 1. An excursion boat licensee shall pay to the commission an admission fee of two dollars for each person embarking on an excursion gambling boat with a ticket of admission. One dollar of such fee shall be deposited to the credit of the gaming commission fund as authorized pursuant to section 313.835, and one dollar of such fee shall not be considered state funds and shall be paid to the home dock city or county. Subject to appropriation, one cent of such fee deposited to the credit of the gaming commission fund may be deposited to the credit of the compulsive gamblers fund created pursuant to the provisions of section 313.842. Nothing in this section shall preclude any licensee from charging any amount deemed necessary for a ticket of admission to any person embarking on an excursion gambling boat. If tickets are issued which are good for more than one excursion, the admission fee shall be paid to the commission for each person using the ticket on each excursion that the ticket is used. If free passes or complimentary admission tickets are issued, the excursion boat licensee shall pay to the commission the same fee upon these passes or complimentary tickets as if they were sold at the regular and usual admission rate; however, the excursion boat licensee may issue fee-free passes to actual and necessary officials and employees of the licensee or other persons actually working on the excursion gambling boat. The issuance of fee-free passes is subject to the rules of the commission, and a list of all persons to whom the fee-free passes are issued shall be filed with the commission.

2. All licensees are subject to all income taxes, sales taxes, earnings taxes, use taxes, property taxes or any other tax or fee now or hereafter lawfully levied by any political subdivision; however, no other license tax, permit tax, occupation tax, excursion fee, or taxes or fees shall be imposed, levied or assessed exclusively upon licensees by a political subdivision. All state taxes not connected directly to gambling games shall be collected by the department of revenue. Notwithstanding the provisions of section 32.057, RSMo, to the contrary, the department of revenue may furnish and the commission may receive tax information to determine if applicants or licensees are complying with the tax laws of this state; however, any tax information acquired by the commission shall not become public record and shall be used exclusively for commission business.

3. Effective fiscal year 2008 and each fiscal year thereafter, the amount of revenue derived from admission fees paid to a home dock city or county shall not exceed the percentage of gross revenue realized by the home dock city or county attributable to such admission fees for fiscal year 2007. In the case of a new casino, the provisions of this section shall become effective two years from the opening of such casino and the amount of revenue derived from admission fees paid to a home dock city or county shall not exceed the average percentage of gross revenue realized by the home dock city or county attributable to such admission fees for the first two fiscal years in which such casino opened for business. Effective fiscal year 2010 and each subsequent fiscal year until fiscal year 2015, the percentage of all revenue derived by a home dock city or county from such admission fees used for expenditures other than capital, cultural, and special law enforcement purpose expenditures shall be limited to not more than thirty percent. Effective fiscal year 2015 and each subsequent fiscal, the percentage

of all revenue derived by a home dock city or county from such admission fees used for expenditures other than capital, cultural, and special law enforcement purpose expenditures shall be limited to not more than twenty percent.

4. After fiscal year 2007, in any fiscal year in which a home dock city or county collects an amount over the limitation on revenue derived from admission fees provided in subsection 1 of this section, such revenue shall be treated as if it were sales tax revenue within the meaning of section 67.505, RSMo, provided that the home dock city or county shall reduce its total general revenue property tax levy, in accordance with the method provided in subdivision (6) of subsection 3 of section 67.505, RSMo.

5. The provisions of subsections 3 and 4 of this section shall not affect the imposition or collection of a tax under section 313.822.

6. The provisions of subsections 3 and 4 of this section shall not apply to any city of the third classification with more than eight thousand two hundred but fewer than eight thousand three hundred inhabitants, any county of the third classification without a township form of government and with more than sixteen thousand six hundred but fewer than sixteen thousand seven hundred inhabitants, any county of the third classification without a township form of government and with more than ten thousand two hundred but fewer than ten thousand three hundred inhabitants, any home rule city with more than four hundred thousand inhabitants and located in more than one county, any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants, any city of the fourth classification with more than two thousand nine hundred but fewer than three thousand inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but fewer than seventy-three thousand eight hundred inhabitants, any county of the first classification with more than seventy-three thousand seven hundred but fewer than seventy-three thousand eight hundred inhabitants, any city of the third classification with more than six thousand seven hundred but fewer than six thousand eight hundred inhabitants and located in any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty thousand one hundred inhabitants, any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty thousand one hundred inhabitants, any city of the third classification with more than four thousand seven hundred but fewer than four thousand eight hundred inhabitants and located in any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants, any city of the third classification with more than twenty-five thousand seven hundred but fewer than twenty-five thousand nine hundred inhabitants, any county with a charter form of government and with more than one million inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, any special charter city with more than nine hundred fifty but fewer than one thousand fifty inhabitants, any county of the third classification without a township form of government and with more than ten thousand four hundred but fewer than ten thousand five hundred inhabitants, any city not within a county, any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants, and any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 239, Section 473.771, Line 27, by inserting immediately after said line the following:

“478.570. 1. There shall be two circuit judges in the seventeenth judicial circuit consisting of the counties of Cass and Johnson. These judges shall sit in divisions numbered one and two.

2. The circuit judge in division two shall be elected in 1980. The circuit judge in division one shall be elected in 1982.

3. **Beginning on January 1, 2006, there shall be one additional associate circuit judge position in Cass County than is provided under section 478.320.**

478.600. 1. There shall be four circuit judges in the eleventh judicial circuit consisting of the county of St. Charles. These judges shall sit in divisions numbered one, two, three and four. **Beginning on January 1, 2007, there shall be six circuit judges in the eleventh judicial circuit and these judges shall sit in divisions numbered one, two,**

three, four, five, and seven. The division five associate circuit judge position and the division seven associate circuit judge position shall become circuit judge positions beginning January 1, 2007, and shall be numbered as divisions five and seven.

2. The circuit judge in division two shall be elected in 1980. The circuit judge in division four shall be elected in 1982. The circuit judge in division one shall be elected in 1984. The circuit judge in division three shall be elected in 1992. **The circuit judges in divisions five and seven shall be elected for a six-year term in 2006.**

3. **Beginning January 1, 2007, the family court commissioner positions in the eleventh judicial circuit appointed under section 487.020, RSMo, shall become associate circuit judge positions in all respects and shall be designated as divisions nine and ten respectively. These positions may retain the duties and responsibilities with regard to the family court. The associate circuit judges in divisions nine and ten shall be elected in 2006 for full four-year terms.**

4. **Beginning on January 1, 2007, the drug court commissioner position in the eleventh judicial circuit appointed under section 478.003 shall become an associate circuit judge position in all respects and shall be designated as division eleven. This position retains the duties and responsibilities with regard to the drug court. Such associate circuit judge shall be elected in 2006 for a full four-year term. This associate circuit judgeship shall not be included in the statutory formula for authorizing additional associate circuit judgeships per county under section 478.320.”; and**

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 130, Section 105.711, Line 11, by inserting immediately after said line the following:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) “Claimant”, a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. **A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year following the year for which the property tax credit is claimed.** The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) “Disabled”, the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) “Gross rent”, amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax

credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less two thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

(6) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;

(7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year.

137.106. 1. This section may be known and may be cited as "The Missouri Homestead Preservation Act".

2. As used in this section, the following terms shall mean:

(1) "Department", the department of revenue;

(2) "Director", the director of revenue;

(3) "Disabled", as such term is defined in section 135.010, RSMo;

(4) "Eligible owner", any individual owner of property who is sixty-five years old or older as of January first of the tax year in which the individual is claiming the credit or who is disabled, and who had an income of equal to or less than the maximum upper limit in the year prior to completing an application pursuant to subsection 4 of this section; in the case of a married couple owning property either jointly or as tenants by the entirety, or where only one spouse owns the property, such couple shall be considered an eligible taxpayer if both spouses have reached the age of sixty-five or if one spouse is disabled, or if one spouse is at least sixty-five years old and the other spouse is at least sixty years old, and the combined income of the couple in the year prior to completing an application pursuant to subsection 4 of this section did not exceed the maximum upper limit; **in the case of property held in trust, the eligible owner and recipient of the tax credit shall be the trust itself provided the previous owner of the homestead or the previous owner's spouse: is the settlor of the trust with respect to the homestead; currently resides in such homestead; and but for the transfer of such property would have satisfied the age, ownership, and maximum upper limit requirements for income as defined in subdivisions 7 and 8 of this subsection;** no individual shall be an eligible

owner if the individual has not paid their property tax liability, if any, in full by the payment due date in any of the three prior tax years, except that a late payment of a property tax liability in any prior year, [not including the year in which the application was completed,] shall not disqualify a potential eligible owner if such owner paid in full the tax liability and any and all penalties, additions and interest that arose as a result of such late payment; no individual shall be an eligible owner if such person [qualifies] **filed a valid claim** for the senior citizens property tax relief credit pursuant to sections 135.010 to 135.035, RSMo;

(5) "Homestead", as such term is defined pursuant to section 135.010, RSMo, except as limited by provisions of this section to the contrary. No property shall be considered a homestead if such property was improved since the most recent annual assessment by more than five percent of the prior year appraised value, **except where an eligible owner of the property has made such improvements to accommodate a disabled person;**

(6) "Homestead exemption limit", a percentage increase, rounded to the nearest hundredth of a percent, which shall be equal to the percentage increase to tax liability, not including improvements, of a homestead from one tax year to the next that exceeds a certain percentage set pursuant to subsection [8] 10 of this section. **For applications filed in 2005 or 2006, the homestead exemption limit shall be based on the increase to tax liability from 2004 to 2005. For applications filed between April 1, 2005 and September 30, 2006, an eligible owner, who otherwise satisfied the requirements of this section, shall not apply for the homestead exemption credit more than once during such period. For applications filed after 2006, the homestead exemption limit shall be based on the increase to tax liability from two years prior to application to the year immediately prior to application;**

(7) "Income", federal adjusted gross income, **and in the case of ownership of the homestead by trust, the income of the settlor applicant shall be imputed to the income of the trust for purposes of determining eligibility with regards to the maximum upper limit;**

(8) "Maximum upper limit", in the calendar year 2005, the income sum of seventy thousand dollars; in each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined pursuant to article X, section 17 of the Missouri Constitution.

3. Pursuant to article X, section 6(a) of the Constitution of Missouri, if in the prior tax year, the property tax liability on any parcel of subclass (1) real property increased by more than the homestead exemption limit, without regard for any prior credit received due to the provisions of this section, then any eligible owner of the property shall receive a homestead exemption credit to be applied in the current tax year property tax liability to offset the prior year increase to tax liability that exceeds the homestead exemption limit, except as eligibility for the credit is limited by the provisions of this section. The amount of the credit shall be listed separately on each taxpayer's tax bill for the current tax year, or on a document enclosed with the taxpayer's bill. The homestead exemption credit shall not affect the process of setting the tax rate as required pursuant to article X, section 22 of the Constitution of Missouri and section 137.073 in any prior, current, or subsequent tax year.

4. **If application is made in 2005**, any potential eligible owner may apply for the homestead exemption credit by completing an application through their local assessor's office. Applications may be completed between April first and September thirtieth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided to the assessor's office by the department. Forms also shall be made available on the department's Internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property; and
- (4) That any improvements made to the homestead, **not made to accommodate a disabled person**, did not total more than five percent of the prior year appraised value.

The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the two prior tax years.

5. **If application is made in 2005**, the assessor, upon [receiving] **request for** an application, shall:

- (1) Certify the parcel number and owner of record as of January first of the homestead, including verification of the acreage classified as residential on the assessor's property record card;
- (2) Obtain appropriate prior tax year levy codes for each homestead from the county clerks **for inclusion on the form;**
- (3) Record on the application the assessed valuation of the homestead for the current tax year, and any new construction or improvements for the current tax year; and
- (4) Sign the application, certifying the accuracy of the assessor's entries.

6. If application is made after 2005, any potential eligible owner may apply for the homestead exemption credit by completing an application. Applications may be completed between April 1 and September 30 of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided by the department. Forms also shall be made available on the department's internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property;
- (4) That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value; and
- (5) The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the three prior tax years.

7. Each applicant shall send the application to the department by September thirtieth of each year for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the application was completed.

[7.] **8. If application is made in 2005**, upon receipt of the applications, the department shall calculate the tax liability, adjusted to exclude new construction or improvements verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant has also filed a valid application for the senior citizens property tax credit, pursuant to sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit, and provide a list of all verified eligible owners to the county collectors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county collectors or county clerks in counties with a township form of government shall provide a list to the department of any verified eligible owners who failed to pay the property tax due for the tax year that ended immediately prior. Such eligible owners shall be disqualified from receiving the credit in the current tax year.

[8.] **9. If application is made after 2005, upon receipt of the applications, the department shall calculate the tax liability, verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant also has filed a valid application for the senior citizens property tax credit under sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income is verified, the director shall determine eligibility for the credit and provide a list of all verified eligible owners to the county assessors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county assessors shall provide a list to the department of any verified eligible owners who made improvements not for accommodation of a disability to the homestead and the dollar amount of the assessed value of such improvements. If the dollar amount of the assessed value of such improvements totaled more than five percent of the prior year appraised value, such eligible owners shall be disqualified from receiving the credit in the current tax year.**

10. The director shall calculate the level of appropriation necessary to set the homestead exemption limit at five percent when based on a year of general reassessment or at two and one-half percent when based on a year without general reassessment for the homesteads of all verified eligible owners, and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the office of budget and planning in the office of administration by January thirty-first of each year.

[9.] **11.** [If, in any given year.] **For applications made in 2005**, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all but one-quarter of one percent of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. The remaining one-quarter of one percent shall be distributed to the county assessment funds of each county on a proportional basis, based on the number of eligible owners in each county; such one-quarter percent distribution shall be delineated in any such appropriation as a separate line item in the total appropriation. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

[10.] **12.** After setting the homestead exemption limit **for applications made in 2005**, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation **and assessment fund allocation** to the county collector's funds of each county **or the treasurer ex officio collector's fund in counties with a township form of government** where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued, plus the one-quarter of one percent distribution for the county assessment funds. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section plus the one-quarter of one percent distribution for the county assessment funds. Funds, at the direction of the county collector **or the treasurer ex officio collector in counties with a township form of government**, shall be deposited in the county collector's fund of a county **or the treasurer ex officio collector's fund** or may be sent by mail to the collector of a county, **or the treasurer ex officio collector in counties with a township form of government**, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues **by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government**, so as to exactly offset each homestead exemption credit being issued. **In counties with a township form of government, the county clerk shall provide the treasurer ex officio collector a summary of the homestead exemption credit for each township for the purpose of distributing the total homestead exemption credit to each township collector in a particular county.**

[11.] **13.** If, in any given year after 2005, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

14. After setting the homestead exemption limit for applications made after 2005, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation to the county collector's fund of each county where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section. Funds, at the direction of the collector of the county or treasurer ex-officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or may be sent by mail to the collector of a county, or treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued.

15. The department shall promulgate rules for implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. Any rule promulgated by the department shall in no way impact, affect, interrupt, or interfere with the performance of the required statutory duties of any county elected official, more particularly

including the county collector when performing such duties as deemed necessary for the distribution of any homestead appropriation and the distribution of all other real and personal property taxes.

[12.] **16.** In the event that an eligible owner dies or transfers ownership of the property after the homestead exemption limit has been set in any given year, but prior to [the mailing of the tax bill] **January first of the year in which the credit would otherwise be applied**, the credit shall be void and any corresponding moneys, pursuant to subsection 10 of this section, shall lapse to the state to be credited to the general revenue fund. **In the event the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government determines prior to issuing the credit that the individual is not an eligible owner because the individual did not pay the prior three years' property tax liability in full, the credit shall be void and any corresponding moneys, under subsection 11 of this section, shall lapse to the state to be credited to the general revenue fund.**

[13.] **17.** This section shall apply to all tax years beginning on or after January 1, 2005. This subsection shall become effective June 28, 2004.

[14.] **18.** In accordance with the provisions of sections 23.250 to 23.298, RSMo, and unless otherwise authorized pursuant to section 23.253, RSMo:

(1) Any new program authorized under the provisions of this section shall automatically sunset six years after the effective date of this section; and

(2) This section shall terminate on September first of the year following the year in which any new program authorized under this section is sunset, and the revisor of statutes shall designate such sections and this section in a revision bill for repeal.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 77, Section 82.1025, Line 18 of said page, by inserting immediately after said line the following:

“84.010. **1.** In all cities of this state that now have, or may hereafter attain, a population of seven hundred thousand inhabitants or over, the common council or municipal assembly, as the case may be, of such cities may pass ordinances for preserving order, securing property and persons from violence, danger or destruction, protecting public and private property, and for promoting the interests and insuring the good government of the cities; but no ordinances heretofore passed, or that may hereafter be passed, by the common council or municipal assembly of the cities, shall, in any manner, conflict or interfere with the powers or the exercise of the powers of the boards of police commissioners of the cities as created by section 84.020, nor shall the cities or any officer or agent of the corporation of the cities, or the mayor thereof, in any manner impede, obstruct, hinder or interfere with the boards of police or any officer, or agent or servant thereof or thereunder, except that in any case of emergency imminently imperiling the lives, health or safety of the inhabitants of the city, the mayor may call upon and direct the chief of police of the city to provide such number of officers and patrolmen to meet the emergency as the mayor determines to be necessary and the chief of police shall continue to act under the direction of the mayor until the emergency has ceased, or until the board of police commissioners takes charge of such matter.

2. Notwithstanding any provision of subsection 1 of this section or other law to the contrary, from and after the effective date of this act, any city not within a county may establish by ordinance, and thereafter maintain, a municipal police force pursuant to sections 84.341 and 84.342.

84.341. Any city not within a county may establish by ordinance a municipal police force for the purposes of:

- (1) Preserving the public peace, welfare, and order;
- (2) Preventing crime and arresting suspected offenders;
- (3) Enforcing the laws of the state and ordinances of the city;
- (4) Exercising all powers available to a police force under generally applicable state law; and
- (5) Regulating and licensing all private watchmen, private detectives, and private policemen serving or acting as such in said cities. No person shall act as a private watchman, private detective, or private policeman in said cities without first having obtained a written license from said police force.

84.342. 1. Any ordinance adopted under section 84.341 shall provide for the employment in the municipal police force, immediately upon the effective date of the establishment of the municipal police force, of all officers

and employees of any police force previously established under sections 84.010 to 84.340 at their then current salaries, and for their entitlement to all accrued benefits, including but not limited to, vacation time, sick leave, and health insurance. Any such ordinance shall be consistent with any regulation concerning residence of police officers adopted by the commissioners of the board of police under sections 84.020 and 84.030 prior to the adoption of such ordinance.

2. After the establishment of a municipal police department under section 84.341, the city may provide by ordinance for the number and ranks of police officers, for their compensation and benefits, and for the appointment, promotion, suspension, demotion, or discharge of members of the police department and of the police commissioner.

84.343. Immediately upon the adoption by a city not within a county of an ordinance establishing a municipal police force under section 84.341, the clerk of such city shall file a certified copy of such ordinance with the secretary of state. The provisions of subsection 1 of section 84.010 and sections 84.015, 84.020, 84.030, 84.040, 84.050, 84.060, 84.070, 84.080, 84.090, 84.095, 84.100, 84.110, 84.120, 84.130, 84.140, 84.150, 84.160, 84.170, 84.175, 84.180, 84.190, 84.200, 84.210, 84.220, 84.230, 84.240, 84.250, 84.260, 84.265, 84.330, and 84.340, and the terms of office of the commissioners of the board of police under sections 84.020 and 84.030, shall expire upon the effective date of the establishment of a municipal police force as provided in such ordinance.

84.344. Any police pension system for members of a police force established under sections 84.010 to 84.340 shall continue to be governed by chapter 86, RSMo, as amended.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 228, Section 321.190, Line 6, by inserting after all of said line the following:

“321.220. For the purpose of providing fire protection to the property within the district, the district and, on its behalf, the board shall have the following powers, authority and privileges:

- (1) To have perpetual existence;
- (2) To have and use a corporate seal;
- (3) To sue and be sued, and be a party to suits, actions and proceedings;
- (4) To enter into contracts, franchises and agreements with any person, partnership, association or corporation, public or private, affecting the affairs of the district, including contracts with any municipality, district or state, or the United States of America, and any of their agencies, political subdivisions or instrumentalities, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service relating to the control or prevention of fires, including the installation, operation and maintenance of water supply distribution, fire hydrant and fire alarm systems; provided, that a notice shall be published for bids on all construction or purchase contracts for work or material or both, outside the authority contained in subdivision (9) of this section, involving an expense of ten thousand dollars or more;
- (5) Upon approval of the voters as herein provided, to borrow money and incur indebtedness and evidence the same by certificates, notes or debentures, and to issue bonds, in accordance with the provisions of this chapter;
- (6) To acquire, construct, purchase, maintain, dispose of and encumber real and personal property, fire stations, fire protection and fire-fighting apparatus and auxiliary equipment therefor, and any interest therein, including leases and easements;
- (7) To refund any bonded indebtedness of the district without an election. The terms and conditions of refunding bonds shall be substantially the same as those of the original issue of bonds, and the board shall provide for the payment of interest, at not to exceed the legal rate, and the principal of such refunding bonds in the same manner as is provided for the payment of interest and principal of bonds refunded;
- (8) To have the management, control and supervision of all the business and affairs of the district, and the construction, installation, operation and maintenance of district improvements therein;
- (9) To hire and retain agents, employees, engineers and attorneys, including part-time or volunteer firemen;
- (10) To have and exercise the power of eminent domain and in the manner provided by law for the condemnation of private property for public use to take any property within the district necessary to the exercise of the powers herein granted;

(11) To receive and accept by bequest, gift or donation any kind of property. Notwithstanding any other provision of law to the contrary, any property received by the fire protection district as a gift or any property purchased by the fire protection district at a price below the actual market value of the property may be returned to the donor or resold to the seller if such property is not used for the specific purpose for which it was acquired;

(12) To adopt and amend bylaws, fire protection and fire prevention ordinances, and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects and affairs of the board and of the district, and refer to the proper authorities for prosecution any infraction thereof detrimental to the district. Any person violating any such ordinance is hereby declared to be guilty of a misdemeanor, and upon conviction thereof, shall be punished as is provided by law therefor. The prosecuting attorney for the county in which the violation occurs shall prosecute such violations in the circuit court of that county. The legal officer or attorney for the fire district may be appointed by the prosecuting attorney as special assistant prosecuting attorney for the prosecution of any such violation. The enactments of the fire district in delegating administrative authority to officials of the district may provide standards of action for the administrative officials, which standards are declared as industrial codes adopted by nationally organized and recognized trade bodies. **The board shall have the power to adopt an ordinance, rule, or regulation allowing the district to charge individuals who reside outside of the district, but who receive emergency services within the boundaries of the district, for the actual and reasonable cost of such services. However, such actual and reasonable costs shall not exceed one hundred dollars for responding to each fire call or alarm and five hundred dollars for each hour or a proportional sum for each quarter hour spent in combating a fire or emergency;**

(13) To pay all court costs and expenses connected with the first election or any subsequent election in the district;

(14) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted herein. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of this chapter;

(15) To provide for health, accident, disability and pension benefits for the salaried members of its organized fire department of the district and such other benefits for their spouses and eligible unemancipated children, through either or both a contributory or noncontributory plan. For purposes of this section, "eligible unemancipated child" means a natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the insured, who is less than twenty-three years of age, who is not married, not employed on a full-time basis, not maintaining a separate residence except for full-time students in an accredited school or institution of higher learning, and who is dependent on parents or guardians for at least fifty percent of his or her support. The type and amount of such benefits shall be determined by the board of directors of the fire protection district within the level of available revenues of the pension program and other available revenues of the district. If an employee contributory plan is adopted, then at least one voting member of the board of trustees shall be a member of the fire district elected by the contributing members, which shall not be the same as the board of directors;

(16) To contract with any municipality that is contiguous to a fire protection district for the fire protection district to provide fire protection to the municipality for a fee as hereinafter provided;

(17) To provide for life insurance, accident, sickness, health, disability, annuity, length of service, pension, retirement and other employee-type fringe benefits, subject to the provisions of section 70.615, RSMo, for the volunteer members of any organized fire department of the district and such other benefits for their spouses and eligible unemancipated children, through either a contributory or noncontributory plan, or both. For purposes of this section, "eligible unemancipated child" means a natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the insured, who is less than twenty-three years of age, who is not married, not employed on a full-time basis, not maintaining a separate residence except for full-time students in an accredited school or institution of higher learning, and who is dependent on parents or guardians for at least fifty percent of his or her support. The type and amount of such benefits shall be determined by the board of directors of the fire protection district within available revenues of the district, including the pension program of the district. The provision and receipt of such benefits shall not make the recipient an employee of the district. Directors who are also volunteer members may receive such benefits while serving as a director of the district;

(18) To contract for services with any rural, volunteer or subscription fire department or organization, or volunteer fire protection association, as defined in section 320.300, RSMo, for the purpose of providing the benefits described in subdivision (17) of this section."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 28, Section 64.215, Line 27 of said page, by inserting after all of said line the following:

“64.940. 1. The authority shall have the following powers:

(1) To acquire by gift, bequest, purchase or lease from public or private sources and to plan, construct, operate and maintain, or to lease to others for construction, operation and maintenance a sports stadium, field house, indoor and outdoor recreational facilities, centers, playing fields, parking facilities and other suitable concessions, and all things incidental or necessary to a complex suitable for all types of sports and recreation, either professional or amateur, commercial or private, either upon, above or below the ground;

(2) To charge and collect fees and rents for use of the facilities owned or operated by it or leased from or to others;

(3) To adopt a common seal, to contract and to be contracted with, including, but without limitation, the authority to enter into contracts with counties and other political subdivisions under sections 70.210 to 70.320, RSMo, and to sue and to be sued;

(4) To receive for its lawful activities any contributions or moneys appropriated by municipalities, counties, state or other political subdivisions or agencies or by the federal government or any agency or officer thereof or from any other source;

(5) To disburse funds for its lawful activities and fix salaries and wages of its officers and employees;

(6) To borrow money for the acquisition, planning, construction, equipping, operation, maintenance, repair, extension and improvement of any facility, or any part or parts thereof, which it has the power to own or to operate, and to issue negotiable notes, bonds, or other instruments in writing as evidence of sums borrowed, as hereinafter provided in this section:

(a) Bonds or notes issued hereunder shall be issued pursuant to a resolution adopted by the commissioners of the authority which shall set out the estimated cost to the authority of the proposed facility or facilities, and shall further set out the amount of bonds or notes to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment and all other details in connection therewith. Any such bonds or notes may be subject to such provision for redemption prior to maturity, with or without premium, and at such times and upon such conditions as may be provided by the resolution.

(b) Such bonds or notes shall bear interest at a rate not exceeding eight percent per annum and shall mature within a period not exceeding fifty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount thereof. Bonds or notes issued by an authority shall possess all of the qualities of negotiable instruments under the laws of this state.

(c) Such bonds or notes may be payable to bearer, may be registered or coupon bonds or notes and if payable to bearer, may contain such registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing the same which resolution may also provide for the exchange of registered and coupon bonds or notes. Such bonds or notes and any coupons attached thereto shall be signed in such manner and by such officers of the authority as may be provided for by the resolution authorizing the same. The authority may provide for the replacement of any bond or note which shall become mutilated, destroyed or lost.

(d) Bonds or notes issued by an authority shall be payable as to principal, interest and redemption premium, if any, out of the general funds of the authority, including rents, revenues, receipts and income derived and to be derived for the use of any facility or combination of facilities, or any part or parts thereof, acquired, constructed, improved or extended in whole or in part from the proceeds of such bonds or notes, including but not limited to stadium rentals, concessions, parking facilities and from funds derived from any other facilities or part or parts thereof, owned or operated by the authority, all or any part of which rents, revenues, receipts and income the authority is authorized to pledge for the payment of said principal, interest, and redemption premium, if any. Bonds or notes issued pursuant to this section shall not constitute an indebtedness of the authority within the meaning of any constitutional or statutory restriction, limitation or provision, and such bonds or notes shall not be payable out of any funds raised or to be raised by taxation. Bonds or notes issued pursuant to this section may be further secured by a mortgage or deed of trust upon the rents, revenues, receipts and income herein referred to or any part thereof or upon any leasehold interest or other property owned by the authority, or any part thereof, whether then owned or thereafter acquired. The proceeds of such bonds or notes shall be disbursed in such manner and under such restrictions as the authority may provide in the resolution authorizing the issuance of such bonds or notes or in any such mortgage or deed of trust.

(e) It shall be the duty of the authority to fix and maintain rates and make and collect charges for the use and services of its interest in the facility or facilities or any part thereof operated by the authority which shall be sufficient to pay the cost of operation and maintenance thereof, to pay the principal of and interest on any such bonds or notes and to provide funds sufficient to meet all requirements of the resolution by which such bonds or notes have been issued.

(f) The resolution authorizing the issuance of any such bonds or notes may provide for the allocation of rents, revenues, receipts and income derived and to be derived by the authority from the use of any facility or part thereof into such separate accounts as shall be deemed to be advisable to assure the proper operation and maintenance of any facility or part thereof and the prompt payment of any bonds or notes issued to finance all or any part of the costs thereof. Such accounts may include reserve accounts necessary for the proper operation and maintenance of any such facility or any part thereof, and for the payment of any such bonds or notes. Such resolution may include such other covenants and agreements by the authority as in its judgment are advisable or necessary properly to secure the payment of such bonds or notes.

(g) The authority may issue negotiable refunding bonds or notes for the purpose of refunding, extending or unifying the whole or any part of such bonds or notes then outstanding, which bonds or notes shall not exceed the principal of the outstanding bonds or notes to be refunded and the accrued interest thereon to the date of such refunding, including any redemption premium. The authority may provide for the payment of interest on such refunding bonds or notes at a rate in excess of the bonds or notes to be refunded but such interest rate shall not exceed the maximum rate of interest hereinbefore provided.

(7) To condemn any and all rights or property, of any kind or character, necessary for the purposes of the authority, subject, however, to the provisions of sections 64.920 to 64.950 and in the manner provided in chapter 523, RSMo; provided, however, that no property now or hereafter vested in or held by the state or by any county, city, village, township or other political subdivisions shall be taken by the authority without the authority or consent of such political subdivisions;

(8) To perform all other necessary and incidental functions; and to exercise such additional powers as shall be conferred by the general assembly or by act of congress.

2. The authority is authorized and directed to proceed to carry out its duties, functions and powers in accordance with sections 64.920 to 64.950 as rapidly as may be economically practicable and is vested with all necessary and appropriate powers not inconsistent with the constitution or the laws of the United States to effectuate the same, except the power to levy taxes or assessments.

3. Any expenditure made by the authority located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, that is over five thousand dollars, including professional service contracts, must be competitively bid.”; and

Further amend said bill, Page 68, Section 67.1850, Line 17 of said page, by inserting after all of said line the following:

“67.2555. Any expenditure of more than five thousand dollars made by the county executive of a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants must be competitively bid.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 130, Section 115.019, Line 11 of said page, by inserting after all of said line the following:

“115.348. No person shall qualify as a candidate for elective public office in the state of Missouri who has been convicted of or pled guilty to a felony or misdemeanor under the federal laws of the United States of America.”; and

Further amend said bill, Page 255, Section 7, Line 6 of said page, by inserting after all of said line the following:

“Section 8. No official of any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, who pleads guilty to or is convicted of a federal felony while serving in his or her official capacity, shall receive any county pension.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 28, Section 64.215, Line 27 of said page, by inserting after all of said line the following:

“64.945. No sports authority in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall permit its members to utilize a suite located in any stadium leased by the authority to a professional sports team. The sports authority shall lease the use of such a suite provided to the authority to any person or entity, provided that such person or entity agrees to pay the authority for the value of the suite. If the sports authority violates the provisions of this section, it shall not receive any state funding.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 93, Section 94.860, Line 17 of said page, by inserting after all of said line the following:

“99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) “Blighted area”, an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) “Collecting officer”, the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) “Conservation area”, any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) “Economic activity taxes”, the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing

district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) “Economic development area”, any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6) “Gambling establishment”, an excursion gambling boat as defined in section 313.800, RSMo, and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850, RSMo. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

(7) “Municipality”, a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, “municipality” applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

(8) “Obligations”, bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

(9) “Ordinance”, an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

(10) “Payment in lieu of taxes”, those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

(11) “Redevelopment area”, an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, RSMo, or a combination thereof, which area includes only those parcels of real property directly and substantially benefited by the proposed redevelopment project;

(12) “Redevelopment plan”, the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

(13) “Redevelopment project”, any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

(14) “Redevelopment project costs” include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

(k) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall not include attorneys' fees as a professional service cost when calculating the redevelopment project costs;

(15) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

(16) "Taxing districts", any political subdivision of this state having the power to levy taxes;

(17) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

(18) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 243, Section 3, Line 13 of said page, by inserting after "officials" the following:

" , unless the current salary of such officials, as of August 28, 2005, is lower than the compensation provided under the salary schedules".

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 230, Section 349.045, Line 26, by inserting immediately after said line the following:

"350.017. The restrictions set forth in section 350.015 shall not apply to agricultural land that is used by a corporation or limited partnership for the production of swine or swine products located in any county of the third classification without a township form of government and with more than two thousand three hundred but fewer than two thousand four hundred inhabitants or any county of the third classification with a township form of government and with more than five thousand two hundred but fewer than five thousand three hundred inhabitants, any county of the third classification with a township form of government and with more than three thousand seven hundred but fewer than three thousand eight hundred inhabitants, any county of the third classification with a township form of government and with more than seven thousand two hundred but fewer than seven thousand three hundred inhabitants, any county of the third classification with a township form of government and with more than eight thousand but fewer than eight thousand one hundred inhabitants, and any county of the third classification with a township form of government and with more than six thousand eight hundred but fewer than six thousand nine hundred inhabitants that has hog and pig numbers of at least fifty-five thousand as documented by the 2002 Census of Agriculture-County Data and any subsequent censuses published by the National Agriculture Statistics Service. For counties whose hog and pig numbers are not reported by the Census of Agriculture, refer to the total hog and pig numbers, including nursery pig numbers, referenced in Missouri state operating permits issued by the Missouri department of natural resources for such counties." ; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 18

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 140, Section 137.079, Line 23 of said page, by inserting after all of said line the following:

“137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;
- (6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;
- (7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision **or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;** and
- (8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:
 - (a) The right of the interstate compact agency to use, control, and possess the property is terminated;
 - (b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and
 - (c) There are no provisions for reverter of the property within the limitation period for reverters.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 19

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 140, Section 137.079, Line 23 of said page, by inserting immediately after said line the following:

“137.102. As used in this section and section 137.104, the following terms shall mean:

- (1) “Homestead”, a taxpayer-owned and occupied principle dwelling real or personal property, along with appurtenances thereto and personal property thereon and up to five acres of land surrounding it as it is reasonably necessary for use of the dwelling as a home; provided, however, that the dwelling shall have been owned in fee simple by said taxpayer for a continuous period of not less than five years. If the homestead is located in a multi-unit building, the homestead is the portion of the building actually used as the principle dwelling and its percentage of the value of the common elements and of the value of the property upon which it is built. The percentage is the value of the unit consisting of the homestead compared to the total value of the building exclusive of common elements, if any;
- (2) “Household”, a person or group of persons living together in a room or group of rooms as a housing unit, but the term does not include persons boarding in or renting a portion of the dwelling;
- (3) “Household income”, the federal adjusted gross income as defined in Section 62 of the United States Internal Revenue Code, of all members in the household;

(4) “Individual with a disability”, a taxpayer with a physical or mental impairment which substantially limits one or more of a person's major life activities, or who is regarded as having such an impairment, or has a record of having such an impairment;

(5) “Tax-deferred property”, the property upon which increases in taxes are deferred under this section;

(6) “Taxes” or “property taxes”, ad valorem taxes, assessments, fees, and charges entered on the assessment and tax roll.

137.104. 1. Beginning January 1, 2006, any taxpayer sixty-five years of age or older with a household income of seventy thousand dollars or less, or any individual with a disability receiving Social Security income, may elect to defer any increases in taxes on homestead property beyond the total property taxes paid in the previous year, by obtaining a deferral after January first and on or before October fifteenth of the first year in which deferral is first claimed.

2. In order to qualify for tax deferral under this section, the following requirements must be met when the claim is filed and thereafter so long as the payment of taxes by the taxpayer is deferred:

(1) The property must be the homestead of the taxpayer who files the claim for deferral, except for a taxpayer required to be absent from the homestead by reason of health who owns the dwelling jointly with one or more individuals who qualify for the deferral;

(2) The homestead must be located in a county with a charter form of government and with more than one million inhabitants;

(3) There must be no prohibition to the deferral of property taxes contained in any provision of federal law, rule, or regulation applicable to a mortgage, trust deed, land sale contract for which the homestead is security;

(4) The equity interest in the homestead must equal or exceed ten percent of the true value in money of the homestead; and

(5) The taxpayer claiming the deferral must show proof of, and maintain throughout the deferral period, insurance on the homestead in an amount equal to or exceeding the assessed value of the homestead.

3. A taxpayer's claim for deferral under this section shall be filed with the county assessor in writing on a form supplied by the department of revenue and shall:

(1) Describe the homestead;

(2) Recite facts establishing the eligibility for the deferral under the provisions of section 137.102, including facts that establish that the household income of the individual or individuals in the household was, for the calendar year immediately preceding the calendar year in which the claim was filed, seventy thousand dollars or less; or

(3) Have attached any documentary proof required by the director to show that the requirements of this section have been met. A federal income tax return shall be determined as proof of eligibility under this income guideline.

4. The county assessor shall forward each claim filed under this section to the director of revenue, who shall determine if the property is eligible for deferral. If eligibility for deferral of homestead property taxes is established, the director of revenue shall notify the county assessor collector who shall show on the current ad valorem assessment and tax roll which property is tax-deferred property by an entry clearly designating such property as tax-deferred property.

5. The portion of increased taxes due beyond the total base amount of ad valorem property taxes paid in 2005 shall be deferred, and the county assessor or collector shall maintain accounts for each deferred property and shall accrue interest only on the amount of taxes deferred. The interest rate shall be two and one-half percent annually. The director of revenue shall have a lien on the homestead property in the amount of the deferred taxes and interest due.

6. The lien created under this section shall have the same priority as other real property tax liens except that the lien of mortgages, trust deeds, or security interests which are recorded or noted on a certificate of title prior in time to the attachment of the lien for deferred taxes shall be prior to the liens for deferred taxes.

7. Deferred ad valorem taxes and accrued interest shall become due and payable when:

(1) The taxpayer who claimed deferment of collection of property taxes on the homestead dies, or if there was more than one claimant, the survivor of the taxpayer who originally claimed the deferment of collection of property taxes under this section dies;

(2) The property with respect to which deferment of collection of taxes is claimed is sold or otherwise transferred;

(3) The tax-deferred property is no longer the homestead of the taxpayer who claimed the deferral, except in the case of a taxpayer required to be absent from such tax-deferred property by reason of health who owns the dwelling jointly with one or more individuals who qualify for the deferral;

(4) The tax-deferred property is a manufactured structure or floating home which is moved out of the state.

8. Whenever any of the circumstances listed in this subsection occurs, the deferral of taxes for the assessment year in which the circumstance occurs shall continue for such assessment year, and the amounts of deferred property taxes, including accrued interest, for all years shall be due and payable on the date of closing or the date of probate to the director of revenue. If the homestead property is removed from the state, the amount of deferred taxes shall be due and payable five days before the date of removal of the property from the state. All payments of deferred taxes shall be made to the county collector and shall be distributed in accordance with the then-current distribution plan.

9. Subsection 1 of this section shall not apply to payment for real property taxes by financial institutions, as defined in section 381.410, RSMo, who pay tax obligations that they service from escrow accounts, as defined in Title 24, Part 3500, Section 17, Code of Federal Regulation, as amended.

10. The provisions of this section shall automatically sunset five years after the effective date of this section unless reauthorized by an act of the general assembly.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 20

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 97, Section 99.1082, Line 24, by striking the word “one” and inserting in lieu thereof the words “**ten thousand**”; and

Further amend said bill, said section, said page, Line 25, by inserting immediately after said line, the following:

“or

(d) At least two hundred fifty thousand dollars for a project area within a city having a population of one to nine hundred and ninety-nine inhabitants;”.

Senate Amendment No. 21

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 16, Section 50.784, Line 28 of said page, by inserting after all of said line the following:

“50.1030. 1. The general administration and the responsibility for the proper operation of the fund and the system and the investment of the funds of the system are vested in a board of directors of eleven persons. Nine directors shall be elected by a secret ballot vote of the county employee members of this state. Two directors, who have no beneficiary interest in the system, shall be appointed by the governor with the advice and consent of the senate. No more than one director at any one time shall be employed by the same elected county office. Directors shall be chosen for terms of four years from the first day of January next following their election. It shall be the responsibility of the board to establish procedures for the conduct of future elections of directors and such procedures shall be approved by a majority vote by secret ballot by members of the system. The board shall have all powers and duties that are necessary and proper to enable it, its officers, employees and agents to fully and effectively carry out all the purposes of sections 50.1000 to 50.1300.

2. The board of directors shall elect one of their number as chairman and one of their number as vice chairman and may employ an administrator who shall serve as secretary to the board. The board shall hold regular meetings at least once each quarter. Board meetings shall be held in Jefferson City. Other meetings may be called as necessary by the chairman. Notice of such meetings shall be given in accordance with chapter 610, RSMo.

3. The board of directors shall retain an actuary as technical advisor to the board.

4. The board of directors shall retain investment counsel to be an investment advisor to the board.

5. The state auditor shall provide for biennial audits of the Missouri county employees' retirement system and the operations of the board, to be paid for out of the funds of the system.

6. The board of directors shall serve without compensation for their services, but each director shall be paid out of the funds of the system for any actual and necessary expenses incurred in the performance of duties authorized by the board.

7. The board of directors shall be allowed administrative costs for the operation of the system to be paid out of the funds of the system.

8. The board shall keep a record of its proceedings which shall be open to public inspection. It shall annually prepare a report showing the financial condition of the system. The report shall contain, but not be limited to, an auditor's opinion, financial statements prepared in accordance with generally accepted accounting principles, an actuary's certification along with actuarial assumptions and financial solvency tests.

9. The board shall conduct an annual review, to determine if, among other things, the following actions are actuarially feasible:

(1) An adjustment to the formula described in section 50.1060, subject to the limitations of subsection 4 of section 50.1060;

(2) An adjustment in the flat dollar pension benefit credit described in subsection 1 of section 50.1060;

(3) The cost-of-living increase as described in section 50.1070;

(4) An adjustment in the matching contribution described in section 50.1230;

(5) An adjustment in the twenty-five year service cap on creditable service; [or]

(6) An adjustment to the target replacement ratio; **or**

(7) **An additional benefit or enhancement which will improve the quality of life of future retirees.**

Based upon the findings of the actuarial review, the board may [recommend to the general assembly an actual change to implement] **vote to change** none, one, or more than one of the above [actions] **items, subject to the actuarial guidelines outlined in section 50.1031.**

50.1031. 1. No adjustments may be made until the fund has achieved a funded ratio of assets to the actuarial accrued liability equaling at least eighty percent. No benefit adjustment shall be adopted which causes the funded ratio to fall more than five percent.

2. Adjustments may be made no more frequently than once every twelve months.

3. Any adjustment or combination of adjustments within a twelve-month period may increase the actuarially determined, normally required annual contribution as a percentage of payroll no more than one percent.

4. Adjustments, other than those in subdivision (3) of subsection 9 of section 50.1030, will apply only with respect to active employees on the effective date of any adjustment.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 22

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 228, Section 321.603, Line 17, by inserting after all of said line the following:

“321.696. Notwithstanding any provision of this chapter, chapter 320, RSMo, or chapter 190, RSMo, effective August 28, 2005, pension benefit programs shall not be established by any district for volunteer members, district board of directors, or salaried employees except under the provisions of chapter 70, RSMo.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 23

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 17, Section 52.317, Line 7 of said page, by inserting after “52.317.” the following:

“1.”; and

Further amend Lines 9 and 10 of said page, by striking the following:

“excluding capital improvements and equipment purchases”; and

Further amend said bill and section, Page 18, Line 1, by inserting after all of said line the following:

“2. For one-time expenditures directly attributable to any department, office, institution, commission, or county court, the county commission may budget such expenses in a common fund or account so that any such expenditures separately budgeted does not appear in any specific department, county office, institution, commission, or court budget.”; and

Further amend said bill, Page 156, Section 137.720, Lines 19-21 of said page, by striking said lines and inserting in lieu thereof the following:

“revenue to the assessment fund; provided however, that capital expenditures and equipment expenses identified in a memorandum of understanding signed by the county's governing body and the county assessor prior to transfer of county general revenue funds to the assessment fund shall be deducted from a year's contribution before computing the three-year average, except that a lesser amount shall be acceptable if unanimously agreed upon by the county assessor, the county governing body, and”.

Senate Amendment No. 25

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 28, Section 64.215, Line 27 of said page, by inserting after all of said line the following:

“65.030. 1. Upon petition of at least [one hundred] ten percent of the voters at the last general election of any county of the third or fourth classes praying therefor, which said petition shall be filed in the office of the clerk of the county commission, the county commission of such county shall, by order of record, submit the question of the adoption of township organization form of county government to a vote of the voters of the county. The total vote for governor at the last general election before the filing of the petition where a governor was elected shall be used to determine the number of voters necessary to sign the petition. If such petition shall be filed sixty days or more prior to a general election, the proposition shall be submitted at said general election; if filed less than sixty days before such election, then the proposition shall be submitted at the general election next succeeding said general election. The election shall be conducted, the vote canvassed and the result declared in the same manner as provided by law in respect to elections of county officers. The clerk of the county commission shall give notice that a proposition for the adoption of township organization form of county government in the county is to be voted upon by causing a copy of the order of the county commission authorizing such election to be published.

2. The question shall be submitted in substantially the following form:

Shall the township organization form of county government be adopted in county?

3. If a majority of the voters voting upon the question shall vote for the adoption thereof the township organization form of county government shall be declared to have been adopted; provided, that counties adopting township organization shall be subject to and governed by the provisions of the law relating to township organization on and after the last Tuesday in March next succeeding the election at which such township organization was adopted.”; and

Further amend said bill, Page 29, Section 65.110, Line 23, by inserting after all of said line the following:

“65.150. No person shall be eligible to any township office unless he shall be a voter and a resident of such township. **Such person serving as a township officer must remain a resident of the township for the duration of his or her term.**”; and

Further amend said bill, Page 30, Section 65.160, Line 2, by inserting after all of said line the following:

“65.180. Any person chosen or appointed to fill any township office, who shall refuse to serve, shall forfeit to the township the sum of [five] **one hundred** dollars for the use of the contingent fund, and said forfeiture, if not otherwise paid, shall be collected by any associate circuit judge of the county, as may be provided by law.

65.183. Any person serving as a township officer may be removed from the township board by a majority vote of the other board members for failing to attend two or more consecutive meetings of the board.

65.190. If any township officer who is required by law to take the oath of office shall enter upon the duties of his office before he shall have taken such oath, he shall forfeit to the township the sum of [twenty] **one hundred** dollars, to be collected and applied as in section 65.180. Township officers shall hold their offices for two years, and until their successors are chosen or appointed and qualified.

65.200. Whenever any township shall fail to elect the proper number of officers to which such township may be entitled, or when any person elected or appointed shall fail to qualify, or when any vacancy shall happen in any township office from any cause, it shall be lawful for the township board to **submit recommendations to the county commission** to fill such vacancy by appointment, and the person so appointed shall hold the office and discharge all the duties of the same during such unexpired term, and until his successor is elected or appointed and qualified, and shall be subject to the same penalties as if he had been duly elected; provided, that any vacancy in **an office of** the township [board] shall be filled by appointment of the county commission.

65.220. The township board may, at any legally convened meeting, for a good and sufficient cause shown to them, accept the **written, dated, and signed** resignation of any township officer; provided, that in all cases where the action of the township board is required, as provided in section 65.210, a majority of the members concurring therein, shall be taken as the action of the board.

65.230. The following township officers shall be entitled to compensation at the following rates for each day necessarily devoted by them to the services of the township in discharging the duties of their respective offices:

(1) The township clerk, as clerk, the township trustee, as trustee, members of the township board, shall each receive [for their services six dollars per day] **a maximum amount of fifty dollars per day** for the first meeting each month and [two and one-half] **a maximum amount of twenty** dollars for each meeting thereafter during the month[, and may receive up to twenty-five dollars per day for the first meeting each month and up to ten dollars for each meeting thereafter during the month. The township clerk shall receive fees for the following, and not per diem: for serving notices of election or appointment upon township officers, as required by law, twenty-five cents each; for filing any instrument of writing, ten cents; for recording any order or instrument of writing, authorized by law, ten cents for every hundred words and figures; for copying and certifying any record in his office, ten cents for every hundred words and figures, to be paid by the person applying for the same]; [and]

(2) The township trustee as ex officio treasurer shall receive a compensation of two percent for receiving and disbursing all moneys coming into his hands **for the first fifty thousand dollars received** as ex officio treasurer when the same shall not exceed the sum of one thousand dollars and one percent of all sums over this amount; **and**

(3) Township officials may receive an hourly wage set by the township board for labor performed for the benefit of the township. Such wage shall not exceed the local prevailing wage limits and shall not include pay received for attending monthly meetings or pay received by the treasurer for performing duties required of his or her office.

65.300. The township board of directors shall meet [at the office of the township clerk] **on a quarterly basis, or more frequently as deemed necessary by the board**, for the purpose of transacting [such] **township** business [as may be by them deemed necessary, triannually, on the third Wednesday after the first Tuesday in April, the first Tuesday after the first Monday in July, and on the third Monday of November of each year, and at such other times as the interest of the township may require]. **The meetings of the township board shall be held at a location within the township that is accessible to the public.**”; and

Further amend said bill, Page 33, Section 65.600, Line 4, by inserting after all of said line the following:

“65.610. 1. Upon the petition of at least [one hundred qualified electors] **ten percent of voters at the last general election** of any county having heretofore adopted township organization, praying therefor, the county commission shall submit the question of the abolition of township organization to the voters of the county at a general or special election. **The total vote for governor at the last general election before the filing of the petition where a governor was elected shall be used to determine the number of voters necessary to sign the petition.** If the petition is filed six months or more prior to a general election, the proposition shall be submitted at a special election to be ordered by the county commission within sixty days after the petition is filed; if the petition is filed less than six months before a general election, then the proposition shall be submitted at the general election next succeeding the filing of the petition. The election shall be conducted, the vote canvassed and the result declared in the same manner as provided by law in respect to elections of county officers. The clerk of the county commission shall give notice that a proposition for the abolition of township organization form of county government in the county is to be voted upon by causing a copy of the order of the county commission authorizing such election to be published at least once each week for three successive weeks, the last insertion to be not more than one week prior to the election, in some newspaper published in the county where the election is to be held, if there is a newspaper published in the county and, if not, by posting printed or written handbills in at least two public places in each election precinct in the county at least twenty-one days prior to the date of election. The clerk of the county commission shall provide the ballot which shall be printed and in substantially the following form:

OFFICIAL BALLOT

(Check the one for which you wish to vote)

Shall township organization form of	YES
county government be abolished in County?	NO

If a majority of the electors voting upon the proposition shall vote for the abolition thereof the township organization form of county government shall be declared to have been abolished; and township organization shall cease in said county; and except as provided in section 65.620 all laws in force in relation to counties not having township organization shall immediately take effect and be in force in such county.

2. No election or any proposal for either the adoption of township organization or for the abolition of township organization in any county shall be held within two years after an election is held under this section.”; and

Further amend said bill, Page 189, Section 217.905, Line 13, by inserting after all of said line the following:

“231.230. Whenever it shall be necessary in any township to build a bridge, the cost of which shall exceed [one hundred] **forty-five hundred** dollars, the township board of directors shall make out and cause to be presented to the county commission a certified statement of the amount of money necessary for the construction thereof, and, if deemed proper, the said county commission shall cause the bridge to be built by contract as provided by law.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 26

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 152, Section 137.122, Line 18, by adding at the end of said line, the following:

“6. The provisions of this section are not intended to modify the definition of “tangible personal property” as defined in Section 137.010, RSMo.”.

Senate Amendment No. 27

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 68, Section 67.1850, Line 6 of said page, by inserting after immediately after the word “software” the following:

“, and may also establish costs for the use of computer programs and computer software that provide access to information aggregated with geographic information system information”.

Senate Amendment No. 28

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 68, Section 71.208, Line 17 of said page, by inserting after all of said line the following:

“71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term “contiguous and compact” does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term “contiguous and compact” does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a verified petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term “common-interest community” shall mean a condominium as said term is used in chapter 448, RSMo, or a common-interest community, a cooperative, or a planned community.

(a) A “common-interest community” shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. “Ownership of a unit” does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A “cooperative” shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A “planned community” a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation. If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least [two] **eight** percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed

with the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 29

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 11, Section 50.343, Lines 3-10 of said page, by striking all of said lines; and

Further amend said bill, Page 169, Section 190.010, Lines 11 to 23 of said page, by striking said lines and inserting in lieu thereof the following:

“implied. **The territory contained within the corporate limits of a proposed ambulance district shall not be required to be contiguous. Any territory which is non-contiguous within a proposed district must be located so that least a portion of the territory lies within five miles of any other portion of the territory contained within the proposed ambulance district. Notwithstanding the provisions of subsection 2 of section 190.015,** an ambulance district may include municipalities or territory not in municipalities or both or territory in one or more counties; except, that the provisions of sections 190.001 to 190.090 are not effective in counties having a population of more than four hundred thousand inhabitants at the time the ambulance district is formed. The territory contained within the corporate limits of an existing ambulance district shall not be incorporated in another ambulance district. Ambulance districts”;

Further amend said bill, Page 200, Section 245.205, Line 3 of said page, by inserting after all of said line the following:

“246.005. **1. Notwithstanding any other provision of law, any drainage district, any levee district, or any drainage and levee district organized under the provisions of sections 242.010 to 242.690, RSMo, or sections 245.010 to 245.280, RSMo, which has, prior to April 8, 1994, been granted an extension of the time of corporate existence by the circuit court having jurisdiction, shall be deemed to have fully complied with all provisions of law relating to such extensions, including the time within which application for the extension must be made, unless, for good cause shown, the circuit court shall set aside such extension within ninety days after April 8, 1994.**

2. Notwithstanding any other provision of law, any drainage district, any levee district, or any drainage and levee district organized under the provisions of sections 242.010 to 242.690, RSMo, or sections 245.010 to 245.280, RSMo, shall have five years after the lapse of the corporate charter in which to reinstate and extend the time of the corporate existence by the circuit court having jurisdiction, and such circuit court judgment entry and order shall be deemed to have fully complied with all provisions of law relating to such extensions.”; and

Further amend said bill, Page 260, Section B, Line 28 of said line, by inserting after “infrastructure” the following:

“and because immediate action is necessary to ensure continuation of services in a drainage or levee district after corporate dissolution, the repeal and reenactment of section 246.005 and”; and further line 32 of said page, by inserting after “constitution,” the following: “the repeal and reenactment of section 246.005”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 30

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 118, Section 105.711, Line 18, by inserting an opening bracket “[“ before the word “or”; and

Further amend said line, by inserting a closing bracket “]” after the word “jails”; and

Further amend said line, by inserting the following after the word “basis”:

“, and any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337, or 338, RSMo, who is under formal contract to provide services to patients or inmates at a county jail on a part-time basis”; and

Further amend said section, Page 119, Line 15, by striking the opening bracket “[“; and

Further amend Line 21, by striking the closing bracket “]”; and

Further amend Page 120, Line 24, by striking the opening bracket “[“; and

Further amend Page 121, Line 4, by striking the closing bracket “]”; and

Further amend Line 22, by striking the opening bracket “[“; and

Further amend Page 122, Line 2, by striking the closing bracket “]”; and

Further amend Line 3, by striking the opening and closing brackets and all the underlined words; and

Further amend Line 5, by striking the opening and closing brackets and all the underlined words; and

Further amend Line 11, by striking the opening bracket “[“; and

Further amend Line 19, by striking the closing bracket “]” and all the underlined words; and

Further amend Lines 20-22, by striking all of said lines from the bill; and

Further amend Page 125, Lines 7-20, by striking all of the underlined words from the bill; and

Further amend Page 126, Lines 9-14, by striking all of the underlined words from the bill.

Senate Amendment No. 31

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 19, Section 54.280, Line 23, by striking the word “four” and inserting in lieu thereof the word **“five”**; and

Further amend said section, said page, Line 26, by striking the word “four” and inserting in lieu thereof the word **“five”**; and

Further amend said section, said page, Line 27, by striking the word “seven” and inserting in lieu thereof the word **“nine”**; and

Further amend said line, by striking the word “three-fourths” and inserting in lieu thereof the word **“one-half”**; and

Further amend said section, Page 20, Line 2, by striking the word “seven” and inserting in lieu thereof the word **“nine”**; and

Further amend said section, said page, Line 3, by striking the word “ten” and inserting in lieu thereof the word **“thirteen”**; and

Further amend said line, by striking the words “and one-half”; and

Further amend said section, said page, Lines 5-8, by striking all of said lines; and

Further renumber the remaining subdivision accordingly; and

Further amend said page, Line 11, by striking the word “two” and inserting in lieu thereof the words “**one and one-half**”.

Senate Amendment No. 32

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 240, Section 488.2220, Line 16, by inserting immediately after said line the following:

“537.600. 1. Such sovereign or governmental tort immunity as existed at common law in this state prior to September 12, 1977, except to the extent waived, abrogated or modified by statutes in effect prior to that date, shall remain in full force and effect; except that, the immunity of the public entity from liability and suit for compensatory damages for negligent acts or omissions is hereby expressly waived in the following instances:

(1) Injuries directly resulting from the negligent acts or omissions by public employees arising out of the operation of motor vehicles or motorized vehicles within the course of their employment;

(2) Injuries caused by the condition of a public entity's property if the plaintiff establishes that the property was in dangerous condition at the time of the injury, that the injury directly resulted from the dangerous condition, that the dangerous condition created a reasonably foreseeable risk of harm of the kind of injury which was incurred, and that either a negligent or wrongful act or omission of an employee of the public entity within the course of his employment created the dangerous condition or a public entity had actual or constructive notice of the dangerous condition in sufficient time prior to the injury to have taken measures to protect against the dangerous condition. In any action under this subdivision wherein a plaintiff alleges that he was damaged by the negligent, defective or dangerous design of a highway or road, which was designed and constructed prior to September 12, 1977, the public entity shall be entitled to a defense which shall be a complete bar to recovery whenever the public entity can prove by a preponderance of the evidence that the alleged negligent, defective, or dangerous design reasonably complied with highway and road design standards generally accepted at the time the road or highway was designed and constructed.

2. The express waiver of sovereign immunity in the instances specified in subdivisions (1) and (2) of subsection 1 of this section are absolute waivers of sovereign immunity in all cases within such situations whether or not the public entity was functioning in a governmental or proprietary capacity and whether or not the public entity is covered by a liability insurance for tort.

3. The term “public entity” as used in this section shall include any multi-state compact agency created by a compact formed between this state and any other state which has been approved by the Congress of the United States. [Sovereign immunity, if any, is waived for the proprietary functions of such multi-state compact agencies as of the date that the Congress of the United States approved any such multi-state compact.

4. Pursuant to the prerogative of the general assembly to declare the public policy of the state in matters concerning liability in tort for public entities, the general assembly declares that prior to September 12, 1977, there was no sovereign or governmental immunity for the proprietary functions of multistate compact agencies operating pursuant to the provisions of sections 70.370 to 70.440, RSMo, and 238.030 to 238.110, RSMo, including functions such as the operation of motor vehicles and the maintenance of property, involved in the operation of a public transit or public transportation system, and that policy is hereby reaffirmed and declared to remain in effect.

5. Any court decision dated subsequent to August 13, 1978, holding to the contrary of subsection 4 of this section erroneously interprets the law and the public policy of this state, and any claimant alleging tort liability under such circumstances for an occurrence within five years prior to February 17, 1988, shall in addition to the time allowed by the applicable statutes of limitation or limitation of appeal, have up to one year after July 14, 1989, to file or refile an action against such public entity and may recover damages imposed by the common law of this state as for any other person alleged to have caused similar damages under similar circumstances.]”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 33

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 33, Section 67.055, Line 9, by inserting after all of said line the following:

“67.459. The portion of the cost of any improvement to be assessed against the real property in a neighborhood improvement district shall be apportioned against such property in accordance with the benefits accruing thereto by reasons of such improvement. The cost may be assessed equally per front foot or per square foot against property within the district or by any other reasonable assessment plan determined by the governing body of the city or county which results in imposing substantially equal burdens or share of the cost upon property similarly benefitted **and which may include, in the case of condominium or equitable owner association ownership, a determination that all units within the condominium or equitable owner association are equally benefitted.** The governing body of the city or county may from time to time determine and establish by ordinance or resolution reasonable general classifications and formulae for the methods of assessing the benefits.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 35

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 255, Section 7, Line 6 of said page, by inserting after all of said line the following:

“Section 8. If a group within any county with a charter form of government and with more than one million inhabitants desires to form a subdistrict within the transportation development district, such subdistrict may capture revenues derived from the transportation sales tax imposed under section 94.660, RSMo. In order to create a subdistrict, a petition to form such subdistrict must be approved at the discretion of the Missouri department of transportation highway transportation commission.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 36

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 126, Section 105.711, Line 27 of said page, by inserting immediately after said line the following:

“115.013. As used in this chapter, unless the context clearly implies otherwise, the following terms mean:

- (1) “Automatic tabulating equipment”, the apparatus necessary to examine and automatically count votes, and the data processing machines which are used for counting votes and tabulating results;
- (2) “Ballot”, the ballot card, paper ballot or ballot designed for use with an electronic voting system on which each voter may cast all votes to which he or she is entitled at an election;
- (3) “Ballot card”, a ballot which is voted by making a punch or sensor mark which can be tabulated by automatic tabulating equipment;
- (4) “Ballot label”, the card, paper, booklet, page or other material containing the names of all offices and candidates and statements of all questions to be voted on;
- (5) “Counting location”, a location selected by the election authority for the automatic processing or counting, or both, of ballots;
- (6) “County”, any one of the several counties of this state or the City of St. Louis;
- (7) “Disqualified”, a determination made by a court of competent jurisdiction, the Missouri ethics commission, an election authority or any other body authorized by law to make such a determination that a candidate is ineligible to hold office or not entitled to be voted on for office;
- (8) “District”, an area within the state or within a political subdivision of the state from which a person is elected to represent the area on a policy-making body with representatives of other areas in the state or political subdivision;
- (9) “Electronic voting system”, a system of casting votes by use of marking devices, and counting votes by use of automatic tabulating or data processing equipment, and includes computerized voting systems;

(10) “Established political party” for the state, a political party which, at either of the last two general elections, polled for its candidate for any statewide office, more than two percent of the entire vote cast for the office. “Established political party” for any district or political subdivision shall mean a political party which polled more than two percent of the entire vote cast at either of the last two elections in which the district or political subdivision voted as a unit for the election of officers or representatives to serve its area;

(11) “Federal office”, the office of presidential elector, United States senator, or representative in Congress;

(12) “Independent”, a candidate who is not a candidate of any political party and who is running for an office for which party candidates may run;

(13) “Major political party”, the political party whose candidates received the highest or second highest number of votes at the last general election;

(14) “Marking device”, either an apparatus in which ballots are inserted and voted by use of a punch apparatus, or any approved device which will enable the votes to be counted by automatic tabulating equipment;

(15) “Municipal” or “municipality”, a city, village, or incorporated town of this state;

(16) “New party”, any political group which has filed a valid petition and is entitled to place its list of candidates on the ballot at the next general or special election;

(17) “Nonpartisan”, a candidate who is not a candidate of any political party and who is running for an office for which party candidates may not run;

(18) “Political party”, any established political party and any new party;

(19) “Political subdivision”, a county, city, town, village, or township of a township organization county;

(20) “Polling place”, the voting place designated for all voters residing in one or more precincts for any election;

(21) “Precincts”, the geographical areas into which the election authority divides its jurisdiction for the purpose of conducting elections;

(22) “Public office”, any office established by constitution, statute or charter and any employment under the United States, the state of Missouri, or any political subdivision or special district, but does not include any office in the reserve forces or the national guard or the office of notary public **or city attorney in cities of the third classification or cities of the fourth classification**;

(23) “Question”, any measure on the ballot which can be voted “YES” or “NO”;

(24) “Relative within the first degree by consanguinity or affinity”, a spouse, parent, or child of a person;

(25) “Relative within the second degree by consanguinity or affinity”, a spouse, parent, child, grandparent, brother, sister, grandchild, mother-in-law, father-in-law, daughter-in-law, or son-in-law;

(26) “Special district”, any school district, water district, fire protection district, hospital district, health center, nursing district, or other districts with taxing authority, or other district formed pursuant to the laws of Missouri to provide limited, specific services;

(27) “Special election”, elections called by any school district, water district, fire protection district, or other district formed pursuant to the laws of Missouri to provide limited, specific services; and

(28) “Voting district”, the one or more precincts within which all voters vote at a single polling place for any election.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 37

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 200, Section 245.205, Line 3, by inserting immediately after said line the following:

“247.031. 1. Territory included in a district that is not being served by such district **or to which the district has not made service available**, may be detached from such district provided that there are no outstanding [general obligation or special obligation bonds] **loans** and no contractual obligations of greater than twenty-five thousand dollars for debt that pertains to infrastructure, fixed assets or obligations for the purchase of water. If any such [bonds] **loans** or debt is outstanding, and the written consent of the holders of such [bonds] **loans** or the creditors to such debt is obtained, then such territory may be detached in spite of the existence of such [bonds] **loans** or debt[, except such consent shall not be required for special obligation bonds if the district has no water lines or other facilities located within any of the territory detached]. Detachment may be made by the filing of a petition with the circuit court in which the district was incorporated.

2. A political subdivision, municipal corporation, or a private entity shall not build, or otherwise construct, infrastructure or other facilities within the territory served by the district for the purpose of providing

water service to such territory until such time as a court issues an order granting the detachment of such territory from the district and all appeals have been exhausted. The petition shall contain a description of the tract to be detached and a statement that the detachment is in the best interest of the district or the inhabitants and property owners of the territory to be detached, together with the facts supporting such allegation. The petition may be submitted by the district acting through its board of directors, in which case the petition shall be signed by a majority of the board of directors of the district. The petition may also be submitted by voters residing in or by landowners owning land in the territory sought to be detached. If there are more than ten voters and landowners in such territory, the petition shall be signed by five or more voters or landowners within the territory; if there are less than ten voters and landowners within such territory, the petition shall be signed by fifty percent or more of the voters and landowners within the territory. In the event there are no voters living within such territory proposed to be detached, then the petition may be submitted by owners of more than fifty percent of the land in the territory proposed to be detached, in which case said petition shall be signed by the owners so submitting the petition.

[2.] **3.** Such petition shall be filed in the circuit court having jurisdiction and the court shall set a date for hearing on the proposed detachment and the clerk shall give notice thereof in three consecutive issues of a weekly newspaper in each county in which any portion of the territory proposed to be detached lies, or in lieu thereof, in twenty consecutive issues of a daily newspaper in each county in which any portion of the tract proposed to be detached lies; the last insertion of the notice to be made not less than seven nor more than twenty-one days before the hearing. Such notice shall be substantially as follows:

IN THE CIRCUIT COURT OF
..... COUNTY, MISSOURI
NOTICE OF THE FILING OF A PETITION FOR
TERRITORIAL DETACHMENT FROM
PUBLIC WATER SUPPLY DISTRICT NO.
OF COUNTY, MISSOURI.

To all voters and landowners of land within the boundaries of the above-described district:

You are hereby notified:

1. That a petition has been filed in this court for the detachment of the following tracts of land from the above-named public water supply district, as provided by law:

(Describe tracts of land).

2. That a hearing on said petition will be held before this court on the day of, 20 ..., at,m.

3. Exceptions or objections to the detachment of said tracts from said public water supply district may be made by any voter or landowner of land within the district from which territory is sought to be detached, provided such exceptions or objections are in writing not less than five days prior to the date set for hearing on the petition.

4. The names and addresses of the attorneys for the petitioner are:

.....

Clerk of the Circuit Court of

..... County, Missouri

[3.] **4.** The court, for good cause shown, may continue the case or the hearing thereon from time to time until final disposition thereof.

[4.] **5.** Exceptions or objections to the detachment of such territory may be made by any voter or landowner within the boundaries of the district, including the territory to be detached. The exceptions or objections shall be in writing and shall specify the grounds upon which they are made and shall be filed not later than five days before the date set for hearing the petition. If any such exceptions or objections are filed, the court shall take them into consideration when considering the petition for detachment and the evidence in support of detachment. If the court finds that the detachment will be in the best interest of the district and the inhabitants and landowners of the area to be detached will not be adversely affected or if the court finds that the detachment will be in the best interest of the inhabitants and landowners of the territory to be detached and will not adversely affect the remainder of the district, it shall approve the detachment and grant the petition.

[5.] **6.** If the court approves the detachment, it shall make its order detaching the territory described in the petition from the remainder of the district, or in the event it shall find that only a portion of said territory should be detached, the court shall order such portion detached from the district. The court shall also make any changes in subdistrict boundary lines it deems necessary to meet the requirements of sections 247.010 to 247.220. Any subdistrict line changes shall not become effective until the next annual election of a member of the board of directors.

[6.] **7.** A certified copy of the court's order shall be filed in the office of the recorder and in the office of the county clerk in each county in which any of the territory of the district prior to detachment is located, and in the office of the secretary of state. Costs of the proceeding shall be borne by the petitioner or petitioners.

8. The provisions of this section shall apply regardless of whether the party filing the petition is an individual, municipal corporation, or a political subdivision.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 38

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 200, Section 247.060, Line 21 of said page, by inserting after "2." the following:

"After notification by certified mail that he or she has two consecutive unexcused absences, any member of the board failing to attend the meetings of the board for three consecutive regular meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed to have vacated the seat, and the secretary of the board shall certify that fact to the board. The vacancy shall be filled as other vacancies occurring in the board. 3."

Senate Amendment No. 39

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, Page 230, Section 349.045, Line 26 of said page, by inserting immediately after all of said line the following:

“441.1009. No person shall rent or offer for rent or sale any mobile home that does not conform to the sanitation, housing, and health codes of the state or of the county or municipality in which the mobile home is located. No person shall rent or offer for rent any lot in a mobile home park that does not conform to subdivision ordinances of the county or municipality in which the mobile home park is located.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 174**.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 58, as amended, relating to local government, was taken up by Representative Johnson (47).

Representative Johnson (47) moved that the House refuse to adopt **SS SCS HCS HB 58, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SB 402**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Smith (118) reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

House Committee Amendment No. 1

AMEND Senate Concurrent Resolution No. 13, Page 2, Line 27, after the words “(6) Colonel of the Missouri State Highway Patrol;” delete the word, “and”; and

Further amend said line, by inserting immediately after all of said line the following:

“(7) One member of the House of Representatives appointed by the House of Representatives minority floor leader and one member of the Senate appointed by the Senate minority floor leader; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Special Committee on General Laws, Chairman Roark reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 196**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was returned **HCS SS SB 362**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SB 86**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 144**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 257**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 287**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 144 - Fiscal Review (Fiscal Note)

HCS SS SCS SB 287 - Fiscal Review (Fiscal Note)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 6** and has taken up and passed **CCS SCS HCS HB 6**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 7**, as **amended**, and has taken up and passed **CCS SCS HCS HB 7**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 8**, as **amended**, and has taken up and passed **CCS SCS HCS HB 8**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 9** and has taken up and passed **CCS SCS HCS HB 9**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 10**, as **amended**, and has taken up and passed **CCS SCS HCS HB 10**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 11, as amended**, and has taken up and passed **CCS SCS HCS HB 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 12, as amended**, and has taken up and passed **CCS SCS HB 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 13**, and has taken up and passed **CCS SCS HB 13**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 15**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 18**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 487**, entitled:

An act to repeal sections 8.177, 43.530, 136.055, 144.025, 168.133, 260.218, 300.330, 301.010, 301.020, 301.025, 301.129, 301.190, 301.215, 301.290, 301.300, 301.301, 302.177, 302.510, 302.530, 302.735, 304.022, 304.155, 307.180, 577.041, RSMo, section 301.130 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, section 301.130 as enacted by senate committee substitute for house bill no. 491, ninety-second general assembly, first regular session, section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969 merged with house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, section 302.272 as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house committee substitute for house bill no. 1453 merged with conference committee substitute for house substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 968 and senate substitute for senate bill no. 969, ninety-second general assembly, second regular session, and to enact in lieu thereof thirty-six new sections relating to motor vehicles, with penalty provisions and an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 487, Page 69, Section 301.894, Lines 2-3 of said page, by striking all of said lines and inserting in lieu thereof the following:

“certificate of title, provided such dealer complies with the following:”.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 487, Page 4, Section 8.177, Line 4 of said page, by inserting after “the” as it appears the second time the following: “state”.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 487, Page 11, Section 136.055, Line 1 of said page, by inserting after all of said line the following:

- “137.100. The following subjects are exempt from taxation for state, county or local purposes:
- (1) Lands and other property belonging to this state;
 - (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
 - (3) Nonprofit cemeteries;
 - (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
 - (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;
 - (6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;
 - (7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision, **or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;** and
 - (8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:
 - (a) The right of the interstate compact agency to use, control, and possess the property is terminated;
 - (b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and
 - (c) There are no provisions for reverter of the property within the limitation period for reverters.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 487, Page 68, Section 301.302, Line 6 of said page, by inserting immediately after said line the following:

- “301.567. 1. For purposes of this section, a violation of any of the following advertising standards shall be deemed an attempt by the advertising dealer to obtain a fee or other compensation by fraud, deception or misrepresentation in violation of section 301.562:
- (1) A motor vehicle shall not be advertised as new, either by express terms or implication, unless it is a “new motor vehicle” as defined in section 301.550;
 - (2) When advertising any motor vehicle which is not a new motor vehicle, such advertisement must expressly identify that the motor vehicle is a used motor vehicle by express use of the term “used”, or by such other term as is commonly understood to mean that the vehicle is used;

(3) Any terms, conditions, and disclaimers relating to the advertised motor vehicle's price or financing options shall be stated clearly and conspicuously. An asterisk or other reference symbol may be used to point to a disclaimer or other information, but not be used as a means of contradicting or changing the meaning of an advertised statement;

(4) The expiration date, if any, of an advertised sale or vehicle price shall be clearly and conspicuously disclosed. In the absence of such disclosure, the advertised sale or vehicle price shall be deemed effective so long as such vehicles remain in the advertising dealership's inventory;

(5) The terms "list price", "sticker price", or "suggested retail price" shall be used only in reference to the manufacturer's suggested retail price for new motor vehicles, and, if used, shall be accompanied by a clear and conspicuous disclosure that such terms represent the "manufacturer's suggested retail price" of the advertised vehicle;

(6) Terms such as "at cost", "\$..... above cost" shall not be used in advertisements because of the difficulty in determining a dealer's actual net cost at the time of the sale. Terms such as "invoice price", "\$..... over invoice" may be used, provided that the invoice referred to is the manufacturer's factory invoice for a new motor vehicle and the invoice is available for customer inspection. For purposes of this section, "manufacturer's factory invoice" means that document supplied by the manufacturer to the dealer listing the manufacturer's charge to the dealer before any deduction for holdback, group advertising, factory incentives or rebates, or any governmental charges;

(7) When the price or financing terms of a motor vehicle are advertised, the vehicle shall be fully identified as to year, make, and model. In addition, in advertisements placed by individual dealers and not line-make marketing groups, the advertised price or credit terms shall include all charges which the buyer must pay to the dealer, except buyer-selected options and state and local taxes. If a processing fee or freight or destination charges are not included in the advertised price, the amount of any such processing fee and freight or destination charge must be clearly and conspicuously disclosed within the advertisement;

(8) Advertisements which offer to match or better any competitors' prices shall not be used;

(9) Advertisements of "dealer rebates" shall not be used, however, this shall not be deemed to prohibit the advertising of manufacturer rebates, so long as all material terms of such rebates are clearly and conspicuously disclosed;

(10) "Free", "at no cost" shall not be used if any purchase is required to qualify for the "free" item, merchandise, or service;

(11) "Bait advertising", in which an advertiser may have no intention to sell at the prices or terms advertised, shall not be used. Bait advertising shall include, but not be limited to, the following examples:

(a) Not having available for sale the advertised motor vehicles at the advertised prices. If a specific vehicle is advertised, the dealer shall be in possession of a reasonable supply of such vehicles, and they shall be available at the advertised price. If the advertised vehicle is available only in limited numbers or only by order, such limitations shall be stated in the advertisement;

(b) Advertising a motor vehicle at a specified price, including such terms as "as low as \$.....", but having available for sale only vehicles equipped with dealer-added cost options which increase the selling price above the advertised price;

(12) Any reference to monthly payments, down payments, or other reference to financing or leasing information shall be accompanied by a clear and conspicuous disclosure of the following:

(a) Whether the payment or other information relates to a financing or a lease transaction;

(b) If the payment or other information relates to a financing transaction, the minimum down payment, annual percentage interest rate, and number of payments necessary to obtain the advertised payment amount must be disclosed, in addition to any special qualifications required for obtaining the advertised terms including, but not limited to, "first-time buyer" discounts, "college graduate" discounts, and a statement concerning whether the advertised terms are subject to credit approval;

(c) If the payment or other information relates to a lease transaction, the total amount due from the purchaser at signing with such costs broken down and identified by category, lease term expressed in number of months, whether the lease is closed-end or open-end, and total cost to the lessee over the lease term in dollars;

(13) Any advertisement which states or implies that the advertising dealer has a special arrangement or relationship with the distributor or manufacturer, as compared to similarly situated dealers, shall not be used;

(14) Any advertisement which, in the circumstances under which it is made or applied, is false, deceptive, or misleading shall not be used;

(15) No abbreviations for industry words or phrases shall be used in any advertisement unless such abbreviations are accompanied by the fully spelled or spoken words or phrases.

2. The requirements of this section shall apply regardless of whether a dealer advertises by means of print, broadcast, or electronic media, or direct mail. **If the advertisement is by means of a broadcast or print media, a dealer may provide the disclaimers and disclosures required under subdivision (3) of subsection 1 of this section**

by reference to an Internet web page or toll-free telephone number containing the information required to be disclosed.

3. Dealers shall clearly and conspicuously identify themselves in each advertisement by use of a dealership name which complies with subsection 6 of section 301.560.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 576**, entitled:

An act to repeal sections 536.010, 536.050, 536.100, 536.140, 536.300, 536.305, and 536.310, RSMo, and to enact in lieu thereof eleven new sections relating to small business.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Committee Substitute for House Bill No. 576, Page 3, Section 536.050, Line 21, by striking "sections 536.300 and" and inserting in lieu thereof the following:

"section 536.300 or"; and

Further amend said bill, Page 5, Section 536.100, Line 9, by inserting after the word "agency" the following:

", other than the administrative hearing commission or any board established to provide independent review of the decisions of a department or division that is authorized to promulgate rules and regulations under this chapter,"; and

Further amend said bill, Page 5, Section 536.100, Line 16, by inserting after "536.140" following:

"or other provision for judicial review provided by statute"; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 700**.

COMMUNICATION

May 5, 2005

Mr. Stephen Davis
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Davis:

We, the undersigned members of the Missouri House of Representatives, pursuant to the Missouri Constitution, Article III, Section 22, and House Rule 34, hereby relieve the House Insurance Policy Committee of **House Bill No. 846** and request that it be placed upon the House Calendar for consideration.

Sincerely,

/s/ Sam Page (82)	/s/ Judy Baker (25)
/s/ J.C. Kuessner (152)	/s/ Tim Meadows (101)
/s/ Rachel Storch (64)	/s/ Jeff Roorda (102)
/s/ Wes Shoemyer (9)	/s/ Jeanette Mott Oxford (59)
/s/ Brad Robinson (107)	/s/ Joe Aull (26)
/s/ Beth Low (39)	/s/ Ed Wildberger (27)
/s/ Clint Zweifel (78)	/s/ Ray Salva (51)
/s/ Jim Whorton (3)	/s/ Sara Lampe (138)
/s/ John Burnett (40)	/s/ Belinda Harris (110)
/s/ Jenee' Lowe (44)	/s/ Michael Brown (50)
/s/ Margaret Donnelly (73)	/s/ Leonard "Jonas" Hughes (42)
/s/ Michael G. Corcoran (77)	/s/ Patricia M. Yaeger (96)
/s/ Sue Schoemehl (100)	/s/ Fred Kratky (65)
/s/ Paul LeVota (52)	/s/ Curt Dougherty (53)
/s/ Terry L. Witte (10)	/s/ Theodore Hoskins (80)
/s/ Michael Vogt (66)	/s/ Kate Meiners (46)
/s/ Rick Johnson (90)	/s/ Craig Bland (43)
/s/ Terry Swinger (162)	/s/ Harold R. Selby (105)
/s/ Wayne J. Henke (11)	/s/ John L. Bowman (70)
/s/ Robin Wright-Jones (63)	/s/ Terry Young (49)
/s/ Gina Walsh (69)	/s/ Trent Skaggs (31)
/s/ Barbara Fraser (83)	/s/ Melba J. Curls (41)
/s/ Al Liese (79)	/s/ Rodney R. Hubbard (58)
/s/ Rachel Bringer (6)	/s/ Cathy Jolly (45)
/s/ Martin T. Rucker (29)	/s/ Thomas George (74)
/s/ R.W. Casey (103)	/s/ Esther Haywood (71)
/s/ Sharon Sanders Brooks (37)	/s/ Bruce Darrough (75)
/s/ Connie Johnson (61)	/s/ Wes Wagner (104)

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Friday, May 6, 2005.

COMMITTEE MEETINGS

CHILDREN AND FAMILIES

Monday, May 9, 2005, 12:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearing to be held on: SS SCS SB 2

CONFERENCE COMMITTEE NOTICE

Friday, May 6, 2005, 9:00 a.m. Senate Lounge. CANCELLED
Public hearings to be held on: CCS SCS HB 1, CCS SCS HCS HB 2,
CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5,
CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8,
CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11,
CCS SCS HB 12, CCS SCS HB 13

CRIME PREVENTION AND PUBLIC SAFETY

Monday, May 9, 2005, Hearing Room 6 upon afternoon adjournment.
Executive session.

FISCAL REVIEW

Friday, May 6, 2005, 9:00 a.m. Hearing Room 4.
Executive session on any bills or matters referred to the Fiscal Review Committee. CANCELLED

FISCAL REVIEW

Tuesday, May 10, 2005, 9:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session.

FISCAL REVIEW

Wednesday, May 11, 2005, 9:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session.

FISCAL REVIEW

Thursday, May 12, 2005, 9:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session.

FISCAL REVIEW

Friday, May 13, 2005, 9:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session.

RULES

Monday, May 9, 2005, 11:00 a.m. Hearing Room 4.
Executive session may follow.
Public hearings to be held on: HR 1176, HCS#2 SS SB 362,
SCR 15, HCS SS SB 402, SCS SCR 8, SCS SCR 6,
HCS SCS SB 196, SCR 13, SB 534

VETERANS

Monday, May 9, 2005, Hearing Room 5 upon afternoon adjournment.
Executive session will follow.
Public hearing to be held on: SJR 19

HOUSE CALENDAR

SEVENTIETH DAY, FRIDAY, MAY 6, 2005

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 12 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491, Part I, Part II, Part III, pending - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach
- 26 HCS HB 842 & 831 - Brooks
- 27 HB 875 - Moore
- 28 HCS#2 HB 131 - Schaaf
- 29 HB 925 - Salva
- 30 HCS HB 948 - Cooper (158)

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532 - Spreng
- 3 HB 952, E.C. - Icet
- 4 HCS HB 859 - Jetton

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 222 - Sutherland
- 2 SB 480, HPA 1, pending - Kraus
- 3 SB 518 - Cooper (155)
- 4 SCS SB 6 - Lager
- 5 HCS SB 38 - Ruestman
- 6 SB 122 - Wright (137)
- 7 SB 162 - Cooper (155)
- 8 HCS SB 174, E.C. - Bruns
- 9 HCS SB 177 - Behnen
- 10 HCS SCS SB 182 - Rector
- 11 SB 209 - Pearce
- 12 HCS SB 216 - Goodman
- 13 SCS SB 227 - Kuessner
- 14 HCS SCS SB 238 - Faith
- 15 SCS SB 247 - Bruns
- 16 SB 265 - Wood
- 17 SB 288 - Lager
- 18 SB 304 - Ervin
- 19 HCS SB 308 - Pollock
- 20 SB 317 - Smith (118)
- 21 SCS SB 354 - Schlottach
- 22 SB 357 - Johnson (47)
- 23 HCS SB 364, E.C. - Franz
- 24 HCS SCS SB 372 - Kuessner
- 25 SCS SB 374 - Zweifel
- 26 SB 396 - Sutherland
- 27 HCS SB 401 - Lembke
- 28 SB 418 - Lipke
- 29 HCS SB 422 - Yates
- 30 HCS SCS SB 423 - Lipke

- 31 HCS SCS SB 450, E.C. - Portwood
- 32 SCS SB 496 - Kelly
- 33 SCS SB 502, E.C. - Portwood
- 34 SB 521, as amended - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 70 - Richard
- 2 SB 488, HCA 1, pending - Robinson
- 3 SB 280 - Wasson
- 4 SB 286 - Kingery
- 5 SB 479 - May
- 6 SB 526 - Cunningham (145)
- 7 SB 180 - Cooper (158)
- 8 HCS SCS SB 260 - Baker (123)
- 9 SB 268 - Byrd
- 10 SB 274 - Richard
- 11 SS SCS SB 346 - Ruestman
- 12 HCS SS SB 95 - Hubbard
- 13 HCS SB 99 - Wood
- 14 SB 141 - Richard
- 15 HCS SS SCS SB 168 - Pratt
- 16 HCS SB 173 - Hobbs
- 17 HCS SB 187 - Guest
- 18 HCS SB 192 - Robinson
- 19 HCS SCS SBs 221, 250 & 256 - St. Onge
- 20 SB 232, HCA 1 - Bivins
- 21 SCS SB 310 - Dixon
- 22 HCS SCS SB 319 - Roark
- 23 HCS SS SB 343 - Richard
- 24 SB 361 - Nance
- 25 SB 380 - Cunningham (86)
- 26 HCS SCS SBs 420 & 344, (2 hours debate on Third Reading) - Byrd
- 27 SB 431, E.C. - Sutherland
- 28 SCS SBs 23 & 51 - Lipke
- 29 HCS SS SCS SBs 74 & 49, E.C. - Cooper (155)
- 30 HCS SCS SB 161 - Chinn
- 31 HCS SS#2 SCS SB 225, E.C. - Hobbs
- 32 SB 254 - Tilley
- 33 HCS SCS SB 262 - Johnson (47)
- 34 HCS SCS SB 272 - Dempsey
- 35 HCS SCS SB 355, E.C. - Loehner
- 36 SB 358 - Richard
- 37 HCS SS SCS SB 462, E.C. - Schad
- 38 HCS SCS SB 500 - Lager
- 39 HCS SCS SB 57 - Wilson (130)
- 40 HCS SB 194 - Kraus

- 41 HCS SCS SB 233 - Nance
- 42 HCS SCS SB 468 - Icet
- 43 HCS#2 SB 123 - Byrd
- 44 HCS SS SCS SB 144, (Fiscal Review 5-05-05) - Byrd
- 45 HCS#2 SB 165 - Byrd
- 46 HCS SS SCS SB 287, (Fiscal Review 5-05-05) - Baker (123)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)
- 4 SCS HCS HB 515 - Wood
- 5 SCS HB 638 - Cunningham (86)
- 6 SCS HB 685, E.C. - Franz
- 7 SCS HB 361 & HB 684 - Lipke
- 8 SCS HB 688 - Byrd
- 9 HCS HB 630, SPA 1 - Pollock
- 10 SCS HCS HB 362 - Lipke
- 11 SCS HB 456 - Kuessner
- 12 SCS HB 450 - Meiners
- 13 SCS HB 53 - Swinger
- 14 SCS HB 423 - Kuessner
- 15 SS SCS HCS HB 441, E.C. - Lipke
- 16 SCS HB 528 - Cunningham (145)
- 17 SCS HB 618 - Bearden
- 18 SCS HCS HB 297 - Pearce
- 19 SCS HCS HB 443 - Sander
- 20 SCS HCS#2 HB 232 - Portwood
- 21 SCS HB 229 - Portwood
- 22 HCS HB 525, SSA 1 for SA 1, SA 3 & SA 6 - May
- 23 HCS HB 576, SCA 1 - Flook
- 24 SS SCS HB 487, as amended, E.C. - Bruns

BILL CARRYING REQUEST MESSAGE

- SS SCS HCS HB 58, as amended (request Senate recede/grant conference), E.C. - Johnson (47)

BILLS IN CONFERENCE

- 1 HCS SS SCS SB 210, as amended - Johnson (47)
- 2 HCS SCS#2 SB 155, as amended - Kingery

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

- 1 HCR 14, (4-26-05, Pages 1277-1278) - Zweifel
- 2 HJR 23 - Emery
- 3 HB 846 - Page

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTIETH DAY, FRIDAY, MAY 6, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Chris Dunn, Legislative Assistant to Representative Marilyn Ruestman.

Heavenly Father,

Thank You for this day, You have certainly made it beautiful.

Thank You for Your grace, love and provision that sustains us and those we care for.

Lord, You inspired David, who needed Your protection long ago, to write,

“For in the day of trouble
He will keep me safe in His dwelling;
He will hide me in the shelter of His tabernacle
and set me high upon a rock.”

Today we pray as David did, that You will protect us and set us high upon a rock.

David continued to write in that same Psalm:

“I am still confident of this:
I will see the goodness of the LORD
in the land of the living.”

Lord, as we take care of the affairs of our state today, help us see Your goodness and then pass it on to others. Help us to do what is right and not what is popular. We submit ourselves to You today. Help us have wisdom that comes from Heaven, and help us to be a blessing to our families, our coworkers and our constituencies today.

In Your great name we ask. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Nicholas Drapp.

HOUSE COURTESY RESOLUTION OFFERED AND ISSUED

House Resolution No. 2973 - Representative Witte

The following members' presence was noted: Bowman, Brown (50), Byrd, Casey, Chappelle-Nadal, Cooper (120), Day, Denison, Dixon, Franz, Harris (110), Hughes, Johnson (47), Johnson (61), Jones, Lampe, LeVota, Lowe (44), Meadows, Nieves, Pollock, Pratt, Quinn, Roorda, Rucker, Salva, Sanders Brooks, Schneider, Selby, Shoemyer, Sutherland, Swinger, Viebrock, Walsh, Wells, Whorton and Witte.

ADJOURNMENT

On motion of Representative Ruestman, the House adjourned until 2:00 p.m., Monday, May 9, 2005.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixty-ninth Day, Thursday, May 5, 2005, Page 1561, Line 18, by inserting immediately after said line the following:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HR 1176**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

HOUSE RESOLUTION NO. 1176

WHEREAS, Amendment I of the United States Constitution, which provides in part that "Congress shall make no law respecting an establishment of religion...", is a specific and unequivocal instruction to only the United States Congress; and

WHEREAS, the United States Constitution makes no restriction on the ability of states to acknowledge God, the Supreme Ruler of the Universe; and

WHEREAS, Amendment X of the United States Constitution, which provides that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people", reserved the right of the acknowledgment of God to the states and the people; and

WHEREAS, the Preamble to the Missouri Constitution, which provides that "We the people of Missouri, with profound reverence for the Supreme Ruler of the Universe, and grateful for His goodness, do establish this constitution for the better government of the state", is within the boundaries of rights reserved to the states by the United States Constitution; and

WHEREAS, the federal judiciary has overstepped its constitutional boundaries and ruled against the acknowledgment of God as the sovereign source of law, liberty, and government by local and state officers and other state institutions, including state schools; and

WHEREAS, the federal judiciary has created confusion between Amendment I and Amendment X of the United States Constitution, and has consistently misapplied Amendment XIV, usurping the rights of the states and the people; and

WHEREAS, Article VI of the United States Constitution requires that each member of the United States Congress and each member of the several state legislatures be bound by oath or affirmation to "support this constitution"; and

WHEREAS, among the seminal principles of our constitutional republic is the premise that each branch of government will be a "check" upon the others; and

WHEREAS, the United States Congress is charged with the solemn responsibility to cause the federal judiciary to refrain from interfering with the acknowledgment of God by any local, state, or federal official by any constitutional means at its' disposal, including limiting the jurisdiction of the federal courts in such matters; and

WHEREAS, Article III, Section 2 of the United States Constitution provides in part that "the...court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make"; and

WHEREAS, there is pending before the 109th Congress the Constitution Restoration Act of 2005, H.R. 1070 and S. 520, which will limit the jurisdiction of the federal courts and preserve the right to acknowledge God, exercised by the State of Missouri in its Preamble to the Missouri Constitution, to the states and to the people and resolve the issue of improper judicial intervention in matters relating to the acknowledgment of God:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, the Ninety-third General Assembly, hereby urge the United States Congress to adopt forthwith the Constitution Restoration Act of 2005, H. R. 1070 and S. 520; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate, the Chairs of the Judiciary Committees of the United States Senate and House of Representatives, and each member of the Missouri Congressional Delegation.

COMMITTEE MEETINGS

CHILDREN AND FAMILIES

Monday, May 9, 2005, 12:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearing to be held on: SS SCS SB 2

CONFERENCE COMMITTEE NOTICE

Monday, May 9, 2005, 10:00 a.m. Senate Lounge.

Public hearing to be held on: HCS SS SCS SB 210

CRIME PREVENTION AND PUBLIC SAFETY

Monday, May 9, 2005, Hearing Room 6 upon afternoon adjournment.

Executive session.

FISCAL REVIEW

Monday, May 9, 2005, 1:00 p.m. Hearing Room 4.

Any bills or matters referred to the Fiscal Review Committee. Executive session may follow.

Public hearings to be held on: HCS SS SCS SB 144, HCS SS SCS SB 287

FISCAL REVIEW

Tuesday, May 10, 2005, 9:00 a.m. Hearing Room 4.

Any bills or matters referred to the Fiscal Review Committee.

Executive session.

FISCAL REVIEW

Wednesday, May 11, 2005, 9:00 a.m. Hearing Room 4.

Any bills or matters referred to the Fiscal Review Committee.

Executive session.

FISCAL REVIEW

Thursday, May 12, 2005, 9:00 a.m. Hearing Room 4.

Any bills or matters referred to the Fiscal Review Committee.

Executive session.

FISCAL REVIEW

Friday, May 13, 2005, 9:00 a.m. Hearing Room 4.

Any bills or matters referred to the Fiscal Review Committee.

Executive session.

RULES

Monday, May 9, 2005, 11:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HR 1176, HCS#2 SS SB 362,

SCR 15, HCS SS SB 402, SCS SCR 8, SCS SCR 6,

HCS SCS SB 196, SCR 13, SB 534

VETERANS

Monday, May 9, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session will follow.

Public hearing to be held on: SJR 19

HOUSE CALENDAR

SEVENTY-FIRST DAY, MONDAY, MAY 9, 2005

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 12 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook

- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491, Part I, Part II, Part III, pending - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach
- 26 HCS HB 842 & 831 - Brooks
- 27 HB 875 - Moore
- 28 HCS#2 HB 131 - Schaaf
- 29 HB 925 - Salva
- 30 HCS HB 948 - Cooper (158)

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532 - Spreng
- 3 HB 952, E.C. - Icet
- 4 HCS HB 859 - Jetton

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTION

SCR 2, (3-02-05, Pages 470-471) - Sander

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 222 - Sutherland
- 2 SB 480, HPA 1, pending - Kraus
- 3 SB 518 - Cooper (155)
- 4 SCS SB 6 - Lager
- 5 HCS SB 38 - Ruestman
- 6 SB 122 - Wright (137)
- 7 SB 162 - Cooper (155)
- 8 HCS SB 174, E.C. - Bruns
- 9 HCS SB 177 - Behnen
- 10 HCS SCS SB 182 - Rector
- 11 SB 209 - Pearce
- 12 HCS SB 216 - Goodman
- 13 SCS SB 227 - Kuessner
- 14 HCS SCS SB 238 - Faith
- 15 SCS SB 247 - Bruns
- 16 SB 265 - Wood
- 17 SB 288 - Lager
- 18 SB 304 - Ervin
- 19 HCS SB 308 - Pollock
- 20 SB 317 - Smith (118)
- 21 SCS SB 354 - Schlottach
- 22 SB 357 - Johnson (47)
- 23 HCS SB 364, E.C. - Franz
- 24 HCS SCS SB 372 - Kuessner
- 25 SCS SB 374 - Zweifel
- 26 SB 396 - Sutherland
- 27 HCS SB 401 - Lembke
- 28 SB 418 - Lipke
- 29 HCS SB 422 - Yates
- 30 HCS SCS SB 423 - Lipke
- 31 HCS SCS SB 450, E.C. - Portwood
- 32 SCS SB 496 - Kelly
- 33 SCS SB 502, E.C. - Portwood
- 34 SB 521, as amended - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 70 - Richard
- 2 SB 488, HCA 1, pending - Robinson
- 3 SB 280 - Wasson
- 4 SB 286 - Kingery
- 5 SB 479 - May
- 6 SB 526 - Cunningham (145)

- 7 SB 180 - Cooper (158)
- 8 HCS SCS SB 260 - Baker (123)
- 9 SB 268 - Byrd
- 10 SB 274 - Richard
- 11 SS SCS SB 346 - Ruestman
- 12 HCS SS SB 95 - Hubbard
- 13 HCS SB 99 - Wood
- 14 SB 141 - Richard
- 15 HCS SS SCS SB 168 - Pratt
- 16 HCS SB 173 - Hobbs
- 17 HCS SB 187 - Guest
- 18 HCS SB 192 - Robinson
- 19 HCS SCS SBs 221, 250 & 256 - St. Onge
- 20 SB 232, HCA 1 - Bivins
- 21 SCS SB 310 - Dixon
- 22 HCS SCS SB 319 - Roark
- 23 HCS SS SB 343 - Richard
- 24 SB 361 - Nance
- 25 SB 380 - Cunningham (86)
- 26 HCS SCS SBs 420 & 344 - Byrd (2 hours debate on Third Reading)
- 27 SB 431, E.C. - Sutherland
- 28 SCS SBs 23 & 51 - Lipke
- 29 HCS SS SCS SBs 74 & 49, E.C. - Cooper (155)
- 30 HCS SCS SB 161 - Chinn
- 31 HCS SS#2 SCS SB 225, E.C. - Hobbs
- 32 SB 254 - Tilley
- 33 HCS SCS SB 262 - Johnson (47)
- 34 HCS SCS SB 272 - Dempsey
- 35 HCS SCS SB 355, E.C. - Loehner
- 36 SB 358 - Richard
- 37 HCS SS SCS SB 462, E.C. - Schad
- 38 HCS SCS SB 500 - Lager
- 39 HCS SCS SB 57 - Wilson (130)
- 40 HCS SB 194 - Kraus
- 41 HCS SCS SB 233 - Nance
- 42 HCS SCS SB 468 - Icet
- 43 HCS#2 SB 123 - Byrd
- 44 HCS SS SCS SB 144, (Fiscal Review 5-05-05) - Byrd
- 45 HCS#2 SB 165 - Byrd
- 46 HCS SS SCS SB 287, (Fiscal Review 5-05-05) - Baker (123)
- 47 SB 257 - Baker (123)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 678, as amended - Byrd
- 3 SCS HB 707 - Cunningham (145)
- 4 SCS HCS HB 515 - Wood
- 5 SCS HB 638 - Cunningham (86)
- 6 SCS HB 685, E.C. - Franz
- 7 SCS HB 361 & HB 684 - Lipke
- 8 SCS HB 688 - Byrd
- 9 HCS HB 630, SPA 1 - Pollock
- 10 SCS HCS HB 362 - Lipke
- 11 SCS HB 456 - Kuessner
- 12 SCS HB 450 - Meiners
- 13 SCS HB 53 - Swinger
- 14 SCS HB 423 - Kuessner
- 15 SS SCS HCS HB 441, E.C. - Lipke
- 16 SCS HB 528 - Cunningham (145)
- 17 SCS HB 618 - Bearden
- 18 SCS HCS HB 297 - Pearce
- 19 SCS HCS HB 443 - Sander
- 20 SCS HCS#2 HB 232 - Portwood
- 21 SCS HB 229 - Portwood
- 22 HCS HB 525, SSA 1 for SA 1, SA 3 & SA 6 - May
- 23 HCS HB 576, SCA 1 - Flook
- 24 SS SCS HB 487, as amended, E.C. - Bruns

BILL CARRYING REQUEST MESSAGE

SS SCS HCS HB 58, as amended (request Senate recede/grant conference), E.C. - Johnson (47)

BILLS IN CONFERENCE

- 1 HCS SS SCS SB 210, as amended - Johnson (47)
- 2 HCS SCS#2 SB 155, as amended - Kingery

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

- 1 HCR 14, (4-26-05, Pages 1277-1278) - Zweifel
- 2 HJR 23 - Emery
- 3 HB 846 - Page

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTY-FIRST DAY, MONDAY, MAY 9, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Let us give glory to You, O God, O King; and blessings to Your name forever and ever. Everyday we give You thanks, praising Your name forever and ever. Great are You Lord, and greatly to be praised; Your greatness is unsearchable.

Guide us according to Your mercy, grant us success today and throughout this week. Show steadfast love to us Your servants.

Heavenly Father, we have accomplished much and yet have so far to go. Spoken much, yet we have so much to say. Fallen at times, but we are confident that when we stumble or fall, You give a helping hand.

As we enter the final week of this Session, may we leave nothing undone. May we give honor where honor is due, respect when respect is due and encouragement where encouragement is due.

May the grace of our Lord, Jesus Christ be with us all as we seek to fulfill purpose.

For it's in His name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Savanna Day, Madalene Lane, Daphne Lane and Abagayle Lane.

The Journal of the sixty-ninth day was approved as corrected.

The Journal of the seventieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2974 - Representative Cooper (158)

House Resolution No. 2975

through

House Resolution No. 2988 - Representative Jetton

House Resolution No. 2989 - Representative Quinn

House Resolution No. 2990 - Representative Johnson (61)

House Resolution No. 2991 through House Resolution No. 2997 House Resolution No. 2998 through House Resolution No. 3004 House Resolution No. 3005 and House Resolution No. 3006 House Resolution No. 3007 and House Resolution No. 3008 House Resolution No. 3009 through House Resolution No. 3011 House Resolution No. 3012 House Resolution No. 3013 and House Resolution No. 3014 House Resolution No. 3015 and House Resolution No. 3016 House Resolution No. 3017 and House Resolution No. 3018 House Resolution No. 3019 House Resolution No. 3020 House Resolution No. 3021 House Resolution No. 3022 House Resolution No. 3023 through House Resolution No. 3027 House Resolution No. 3028 through House Resolution No. 3030 House Resolution No. 3031 through House Resolution No. 3044 House Resolution No. 3045 House Resolution No. 3046 through House Resolution No. 3048 House Resolution No. 3049 and House Resolution No. 3050 House Resolution No. 3051 House Resolution No. 3052	- Representative Quinn - Representative Day - Representative Whorton - Representative Kingery - Representative Weter - Representative Rector - Representative Wright-Jones - Representative Munzlinger - Representative Lager - Representative Pearce - Representative Sander - Representative Walton - Representative LeVota - Representative Quinn - Representative Aull - Representative Jetton - Representative Burnett - Representative Viebrock - Representative Schad - Representative Moore - Representative Kelly
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House Resolution No. 3053
through
House Resolution No. 3057 - Representatives Harris (110) and Casey
House Resolution No. 3058
and
House Resolution No. 3059 - Representatives Harris (110) and Kuessner
House Resolution No. 3060 - Representative Jetton
House Resolution No. 3061
through
House Resolution No. 3063 - Representative Harris (23)
House Resolution No. 3064 - Representative Bruns
House Resolution No. 3065
and
House Resolution No. 3066 - Representative Fraser
House Resolution No. 3067 - Representative Jetton
House Resolution No. 3068 - Representative Salva
House Resolution No. 3069 - Representative Lager
House Resolution No. 3070 - Representative Nolte
House Resolution No. 3071 - Representative Fares
House Resolution No. 3072 - Representative Smith (14)
House Resolution No. 3073 - Representative Black
House Resolution No. 3074 - Representative Jolly

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 58, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HCS HB 58, as amended**: Senators Griesheimer, Taylor, Crowell, Wilson and Kennedy.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HCS HB 58: Representatives Johnson (47), Schneider, Smith (118), Wagner and Skaggs

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILLS

HCS SS SB 343, relating to job development programs, was taken up by Representative Richard.

Representative Richard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 343, Section 620.1881, Page 41, Line 96, by deleting the semi-colon “;” on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 1** was adopted.

Representative Richard offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 343, Page 38, Section 620.1878, Line 111, by deleting the word “**has**” on said line and inserting in lieu thereof the word “**creates**”; and

Further amend said bill, Page 38, Section 620.1878, Lines 111-112, by deleting the words “**total employees on the date of the proposal**” and inserting in lieu thereof the words “**new jobs**”; and

Further amend said bill, Page 38, Section 620.1878, Line 112, by deleting the words “**qualified company**” and inserting in lieu thereof the words “**project facility**”; and

Further amend said bill, Page 39, Section 620.1881, Line 12, by adding after all of said line the following:

“**A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period of the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original proposal for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as “new jobs” for the purpose of benefit calculation in relation to the new proposal.**”.

On motion of Representative Richard, **House Amendment No. 2** was adopted.

Representative LeVota offered **House Amendment No. 3**.

Representative Flook raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill and opens up a new chapter that is not in the bill.

The Chair ruled the point of order well taken.

Representative Whorton offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 343, Section 100.850, Page 29, Line 23, by inserting immediately after the word “**project**” on said line the following:

“, and one million dollars shall be reserved for eligible new generation cooperatives as defined in section 348.432, RSMo”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Page offered **House Amendment No. 1 to House Amendment No. 4**.

Representative Yates raised a point of order that **House Amendment No. 1 to House Amendment No. 4** is not a true amendment to the amendment and goes beyond the scope of the amendment.

The Chair ruled the point of order well taken.

Representative Whorton moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Aull	Baker 25	Behnen	Bland	Bringer
Brooks	Brown 50	Burnett	Casey	Chinn
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fraser	George
Harris 23	Harris 110	Henke	Hobbs	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Jones	Kuessner	Lager	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Munzlinger	Nieves	Oxford	Page	Quinn
Robinson	Rucker	Salva	Sander	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Sutherland	Threlkeld	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 089

Avery	Baker 123	Bean	Bearden	Bivins
Black	Bowman	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hunter	Icet	Jackson
Johnson 47	Kelly	Kingery	Kratky	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Muschany	Myers	Nance
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Rector	Richard
Roark	Robb	Roorda	Ruestman	Rupp
Sater	Schaaf	Schad	Schlottach	Schneider

Self	Silvey	Smith 118	Stefanick	Stevenson
St. Onge	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins	Haywood	Smith 14	Swinger
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VACANCIES: 001

Representative Wildberger offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 343, Section 1, Page 45, Line 5, by inserting after all of said line the following:

“Section 2. The state of Missouri hereby proclaims that no employer who employs illegal aliens shall be eligible for any state-administered or subsidized tax credit, tax abatement or loan from this state, and that no one shall employ or subcontract with any illegal alien on any publicly-financed project.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Flook offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 343, Section 1, Page 45, Line 5, by inserting after all of said line the following:

“Section 2. No company that employs persons or subcontracts with entities employing persons who are not authorized to work in the United States under federal law shall be eligible for any state administered tax credit, tax abatement, subsidy, or loan program.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 5** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Yates offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 5**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 5

AMEND House Substitute Amendment No. 1 for House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Bill No. 343, Page 1, Line 6, by inserting after the word “**program.**” on said line the following:

“This provision shall not apply where such unauthorized persons or subcontractors employing such persons, are employed for business operations occurring outside of the United States which provide products or services to persons or entities which are also located outside of the United States.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wildberger raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 5** goes beyond the scope of the substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Yates, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 5** was adopted.

On motion of Representative Flook, **House Substitute Amendment No. 1 for House Amendment No. 5, as amended**, was adopted.

Representative Shoemyer offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 343, Section 620.1878, Page 38, Line 120, by inserting immediately after the word “**codes**” the following:

“, however, if the qualified company is located in a county of the third classification it must create a minimum of five new jobs”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Selby offered **House Amendment No. 1 to House Amendment No. 6.**

Representative Yates raised a point of order that **House Amendment No. 1 to House Amendment No. 6** goes beyond the scope of the amendment.

The Chair ruled the point of order well taken.

Representative Shoemyer moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Icey	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins	Smith 14	Swinger
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VACANCIES: 001

On motion of Representative Richard, **HCS SS SCS SB 343, as amended**, was adopted.

On motion of Representative Richard, **HCS SS SCS SB 343, as amended**, was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Bringer

PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins	Schneider	Smith 14	Swinger
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SS SCS SB 168, relating to covenants and residential construction, was taken up by Representative Pratt.

Representative Pratt offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 168, Section 431.306, Page 7, Line 71, by deleting “(2)” and inserting in lieu thereof “(4)”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pratt, **House Amendment No. 1** was adopted.

Representative Burnett requested a division of the question on **HCS SS SCS SB 168, as amended.**

On motion of Representative Pratt, **Part I of HCS SS SCS SB 168** was adopted.

On motion of Representative Pratt, **Part II of HCS SS SCS SB 168, as amended,** was adopted.

On motion of Representative Pratt, **HCS SS SCS SB 168, as amended,** was read the third time and passed by the following vote:

AYES: 126

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Brown 30	Bruns
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	George	Goodman	Guest	Harris 23
Henke	Hobbs	Hubbard	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yaeger	Yates	Young
Mr Speaker				

NOES: 032

Bland	Bowman	Bringer	Brooks	Brown 50
Burnett	Chappelle-Nadal	Curls	Darrough	Donnelly
El-Amin	Fraser	Harris 110	Haywood	Hoskins
Hughes	Johnson 61	Johnson 90	Low 39	Lowe 44
Oxford	Rucker	Selby	Storch	Villa
Vogt	Walsh	Walton	Whorton	Witte
Wright-Jones	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Boykins	Pearce	Swinger
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SB 355, relating to agriculture, was taken up by Representative Loehner.

Representative Shoemyer requested a division of the question on **HCS SCS SB 355**.

Representative Hobbs offered **House Amendment No. 1 to Part I**.

House Amendment No. 1

AMEND Part I of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Section 142.031, Page 2, Line 13, by inserting after the word “fund” the following:

“provided that fifty-one percent of the feedstock originates in the state of Missouri. A”; and

Further amend said line, by deleting the words “, except that a”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Shoemyer offered **House Amendment No. 1 to House Amendment No. 1 to Part I**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to Part I of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 1, Section 142.029, Line 4, by inserting after the word “Missouri” the following:

“and that 100% of the feedstock originates in the United States”.

On motion of Representative Shoemyer, **House Amendment No. 1 to House Amendment No. 1 to Part I** was adopted by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Behnen
Bivins	Black	Bland	Bowman	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Day	Dempsey	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	St. Onge	Storch
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 010

Bearden	Chappelle-Nadal	Davis	Denison	Dethrow
Hunter	Kelly	May	Myers	Stevenson

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Boykins	Deeken	Portwood	Swinger
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VACANCIES: 001

On motion of Representative Hobbs, **House Amendment No. 1, as amended**, was adopted.

Representative Bringer offered **House Amendment No. 2 to Part I**.

House Amendment No. 2

AMEND Part I of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 17, Section 196.291, Lines 1-4, by deleting all of said lines.

Representative Bringer moved that **House Amendment No. 2 to Part I** be adopted.

Which motion was defeated.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins

Deeken

Swinger

VACANCIES: 001

On motion of Representative Loehner, **Part I of HCS SCS SB 355, as amended**, was adopted.

Representative Bringer offered **House Amendment No. 1 to Part II**.

House Amendment No. 1

AMEND Part II of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 26, Section 281.040, Line 6, by deleting said line and inserting in lieu thereof the following:

“either attending a course **or completing an on-line course** of instruction provided by the director on the use, handling, storage and”; and

Further amend said section, Page 26, Line 11, by inserting after the word, **“instruction.”** the following:

“However, no fee shall be assessed or collected from an individual completing an on-line course of instruction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 1 to Part II** was adopted.

Representative Shoemyer offered **House Amendment No. 2 to Part II**.

House Amendment No. 2

AMEND Part II of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 26, Section 281.040, Line 26, by inserting after all of said line the following:

"281.260. 1. Every pesticide which is distributed, sold, offered for sale or held for sale within this state, or which is delivered for transportation or transported in intrastate commerce or between points within this state through any point outside of this state, shall be registered in the office of the director, and the registration shall be renewed annually.

2. The registrant shall file with the director a statement including:

(1) The name and address of the registrant and the name and address of the person whose name will appear on the label, if other than the registrant;
(2) The name of the pesticide;
(3) Classification of the pesticide; and
(4) A complete copy of the labeling accompanying the pesticide and a statement of all claims to be made for it, including directions for use.

3. The registrant shall pay an annual fee of [fifteen] **thirty** dollars for each product registered in any calendar year or part thereof. **One-half of the proceeds of the fee shall be deposited in the state treasury to the credit of the general revenue fund and one-half of the proceeds of the fee shall be transferred to the university of Missouri extension services solely for the purpose of funding materials necessary for private pesticide application training.** All such registrations shall expire on December thirty-first of any one year, unless sooner canceled. A registration for a special local need pursuant to subsection 6 of this section, which is disapproved by the federal government, shall expire on the effective date of the disapproval.

4. Any registration approved by the director and in effect on the thirty-first day of December for which a renewal application has been made and the proper fee paid shall continue in full force and effect until such time as the director notifies the applicant that the registration has been renewed, or otherwise denied, in accord with the provisions of subsection 8 of this section. Forms for reregistration shall be mailed to registrants at least ninety days prior to the expiration date.

5. If the renewal of a pesticide registration is not filed prior to January first of any one year, an additional fee of five dollars shall be assessed and added to the original fee and shall be paid by the applicant before the registration renewal for that pesticide shall be issued; provided, that, such additional fee shall not apply if the applicant furnishes an affidavit certifying that he did not distribute such unregistered pesticide during the period of nonregistration. The payment of such additional fee is not a bar to any prosecution for doing business without proper registry.

6. Provided the state complies with requirements of the federal government to register pesticides to meet special local needs, the director shall require that registrants comply with sections 281.210 to 281.310 and pertinent federal laws and regulations. Where two or more pesticides meet the requirements of this subsection, one shall not be registered in preference to the other.

7. The director may require the submission of the complete formula of any pesticide to approve or deny product registration. If it appears to the director that the composition and efficacy of the pesticide is such as to warrant the proposed claims for it and if the pesticide and its labeling and other material required to be submitted comply with the requirements of sections 281.210 to 281.310, he shall register the pesticide.

8. Provided the state is authorized to issue experimental use permits, the director may:

(1) Issue an experimental use permit to any person applying for an experimental use permit if he determines that the applicant needs such permit in order to accumulate information necessary to register a pesticide under sections 263.269 to 263.380. An application for an experimental use permit may be filed at the time of or before or after an application for registration is filed;

(2) Prescribe terms, conditions, and period of time for the experimental permit which shall be under the supervision of the director;

(3) Revoke any experimental permit, at any time, if he finds that its terms or conditions are being violated, or that its terms and conditions are inadequate to avoid unreasonable adverse effects on the environment.

9. If it does not appear to the director that the pesticide is such as to warrant the proposed claims for it or if the pesticide and its labeling and other material required to be submitted do not comply with the provisions of sections 281.210 to 281.310 or with federal laws, he shall notify the registrant of the manner in which the pesticide, labeling, or other material required to be submitted fail to comply with sections 281.210 to 281.310 or with federal laws so as to afford the registrant an opportunity to make the necessary corrections. If, upon receipt of such notice, the registrant insists that such corrections are not necessary and requests in writing that the pesticide be registered or, in the case of a pesticide that is already registered, that it not be canceled, the director, within ninety days, shall hold a public hearing to determine if the pesticide in question should be registered or canceled. If, after such hearing, it is determined that the pesticide should not be registered or that its registration should be canceled, the director may refuse registration or cancel an existing registration until the required label changes are accomplished. If the pesticide is shown to be in compliance with sections 281.210 to 281.310 and federal laws, the pesticide will be registered. Any appeals resulting from administrative decisions by the director will be taken in accordance with sections 536.100 to 536.140, RSMo.

10. Notwithstanding any other provision of sections 281.210 to 281.310, registration is not required in the case of a pesticide shipped from one plant or warehouse within this state to another plant or warehouse within this state when such plants are operated by the same persons.

11. The director shall not make any lack of essentiality a criterion for denying registration of a pesticide except where none of the labeled uses are present in the state. Where two or more pesticides meet the requirements of sections 281.210 to 281.310, one shall not be registered in preference to the other."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Myers raised a point of order that **House Amendment No. 2 to Part II** amends previously amended material and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 054

Aull	Baker 25	Bland	Bringer	Brooks
Brown 50	Burnett	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Oxford	Page
Robinson	Roorda	Rucker	Schoemehl	Shoemyer
Skaggs	Spreng	Storch	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 015

Bean	Bowman	Boykins	Casey	Corcoran
Deeken	Kratky	Marsh	Meiners	Pearce
Pratt	Salva	Selby	Swinger	Wildberger

VACANCIES: 001

Representative Shoemyer moved that **House Amendment No. 2 to Part II** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Aull	Baker 25	Behnen	Bland	Bringer
Brooks	Brown 30	Brown 50	Burnett	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Fraser
George	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lager	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Munzlinger	Oxford
Page	Robinson	Roorda	Rucker	Salva
Sander	Schaaf	Schoemehl	Self	Shoemyer
Silvey	Skaggs	Spreng	Storch	Sutherland
Threlkeld	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

NOES: 080

Avery	Baker 123	Bearden	Bivins	Black
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Dempsey	Denison	Dethrow	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sater	Schad
Schlottach	Schneider	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Bowman	Boykins	Casey	Deeken
Marsh	Pearce	Selby	Swinger	

VACANCIES: 001

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Icet	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 052

Aull	Baker 25	Bland	Bringer	Brooks
Brown 50	Burnett	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fraser	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	Meadows	Meiners	Oxford	Page
Roorda	Rucker	Salva	Schoemehl	Shoemyer
Skaggs	Spreng	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young			

PRESENT: 000

ABSENT WITH LEAVE: 017

Bean	Bowman	Boykins	Casey	Deeken
George	Hunter	Jolly	Low 39	Marsh
Pratt	Robinson	Selby	Storch	Swinger
Wagner	Zweifel			

VACANCIES: 001

On motion of Representative Loehner, **Part II of HCS SCS SB 355, as amended**, was adopted.

Representative Dempsey moved the previous question on the motion to adopt **Part III of HCS SCS SB 355**.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Icet	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 058

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Dougherty	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Rucker
Salva	Schoemehl	Shoemyer	Skaggs	Spreng
Storch	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Bowman	Boykins	Brooks	Deeken
Donnelly	Marsh	Selby	Swinger	

VACANCIES: 001

On motion of Representative Loehner, **Part III of HCS SCS SB 355** was adopted.

On motion of Representative Loehner, **HCS SCS SB 355, as amended**, was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Curls	Darrough	Daus
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	George	Goodman	Guest
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 009

Brooks	Burnett	Fraser	Johnson 90	Jolly
Low 39	Lowe 44	Walsh	Young	

PRESENT: 002

Cunningham 86	Harris 23
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ABSENT WITH LEAVE: 008

Bean	Bowman	Boykins	Deeken	Johnson 61
Marsh	Selby	Swinger		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brooks	Brown 30	Brown 50	Bruns	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Curls	Darrough
Daus	Davis	Day	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 003

Burnett	Jolly	Young
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PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 008

Bean	Bowman	Boykins	Deeken	George
Marsh	Selby	Swinger		

VACANCIES: 001

THIRD READING OF SENATE BILLS - CONSENT

SCS SB 222, relating to sale of noncompliant cigarettes, was taken up by Representative Sutherland.

SCS SB 222 was laid over.

HCS SB 38, relating to memorial highways, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **HCS SB 38** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Boykins	Deeken	Marsh	Schneider
Selby	Swinger			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SB 174, relating to a conveyance in Cole County, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS SB 174** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Curls	Darrough	Daus	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Boykins	Cunningham 86	Deeken	Marsh
Myers	Richard	Schneider	Selby	Swinger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker 25	Bean	Boykins	Deeken	Jones
Marsh	Nolte	Richard	Selby	Swinger
Vogt	Wildberger			

VACANCIES: 001

HCS SB 177, relating to professional registration, was taken up by Representative Behnen.

On motion of Representative Behnen, **HCS SB 177** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Johnson 61

PRESENT: 000

ABSENT WITH LEAVE: 009

Bean	Boykins	Brooks	Deeken	Hubbard
Marsh	Richard	Selby	Swinger	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SB 182, relating to liquefied petroleum gases, was taken up by Representative Rector.

On motion of Representative Rector, **HCS SCS SB 182** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 002

LeVota Schoemehl

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Boykins	Deeken	Marsh	Selby
Swinger	Wildberger	Wright 137		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 19**.

SENATE CONCURRENT RESOLUTION NO. 19

WHEREAS, fixing the health care crisis is extremely critical for the citizens of Missouri; and

WHEREAS, changes in the legal, medical, social and economic environments has resulted in a lack of availability or a high cost for medical malpractice coverage for health care providers; and

WHEREAS, the lack of availability and high cost for medical malpractice coverage for health care providers has in turn adversely impacted health care in Missouri; and

WHEREAS, other states have turned to health care stabilization funds as a means of resolving such problems by providing excess medical malpractice coverage to health care providers who participate in the fund; and

WHEREAS, a Missouri Health Care Stabilization Fund would constitute an important step in solving health care problems for Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create a Joint Interim Committee on a Missouri Health Care Stabilization Fund; and

BE IT FURTHER RESOLVED that the interim committee shall be responsible for:

1. Exploring the establishment of a Missouri Health Care Stabilization Fund to be administered by a health care stabilization board and housed within the Department of Insurance.
2. Investigating the primary objective of assuring health care providers that there will be reasonable medical malpractice liability coverage available within the state of Missouri.
3. Researching the possibility of requiring health care providers to carry primary medical malpractice coverage with another insurer in order to participate in the fund.
4. Investigating the feasibility of the fund paying moneys to an aggrieved party if his or her damages exceed the health care provider's primary level of coverage.
5. Exploring any other ideas as necessary for possible implementation of the fund; and

BE IT FURTHER RESOLVED that the interim committee be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the interim committee herein established shall consist of ten members, three of which shall be members of the Senate appointed by the President Pro Tem of the Senate, two of which shall be members of the Senate appointed by the Minority Leader of the Senate; and three shall be members of the House of Representatives appointed by the Speaker of the House of Representatives, two of which shall be members of the House appointed by the Minority Leader of the House; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the interim committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the interim committee, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the interim committee shall expire on December 31, 2005, and on that same date deliver a report of findings and recommendations to the General Assembly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed Senator Coleman to replace Senator Wilson as conferee on **HCS SCS#2 SB 155, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 343, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HCS SS SB 343, as amended, relating to job development programs, was taken up by Representative Richard.

Representative Richard moved that the House refuse to recede from its position on **HCS SS SB 343, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 343: Representatives Richard, Flook, Pearce, Kratky and Spreng

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 678, as amended, relating to corporations, was taken up by Representative Byrd.

Representative Byrd moved that the House refuse to adopt **SCS HB 678, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Pro Tem Bearden resumed the Chair.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 19 - Rules

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 144** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Children and Families, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **SS SCS SB 2**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SCS SB 32**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 269**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 320**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 405**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 64**, entitled:

An act to repeal section 144.049, RSMo, and to enact in lieu thereof one new section relating to a sales tax holiday, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 114**, entitled:

An act to repeal section 92.402, RSMo, and to enact in lieu thereof one new section relating to taxation for public mass transportation systems.

With Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment 1, as amended.

Senate Amendment No. 1

AMEND House Bill No. 114, Page 2, Section 92.402, Line 9, by striking the opening bracket "["; and

Further amend Line 10, by striking the closing bracket "]" as it appears the first time on said line; and

Further amend said line, by striking "2005" and inserting in lieu thereof the following: "**2007**"; and

Further amend said line, by striking the opening bracket "[" and the closing bracket "]" as it appears the second time on said line.

*Senate Amendment No. 1
to
Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to House Bill No. 114, Page 1, Line 5, by striking "2007" and inserting in lieu thereof the following: "**2015**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 116**, entitled:

An act to amend chapter 209, RSMo, by adding thereto four new sections relating to rights of persons with dogs, with penalty provisions and an emergency clause for certain sections.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 116, Pages 4-5, Section 1, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 437**, entitled:

An act to repeal section 173.239, RSMo, and to enact in lieu thereof four new sections relating to Missouri military family relief.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 500 & 533**, entitled:

An act to repeal section 288.110, RSMo, and to enact in lieu thereof one new section relating to the transfer of employer accounts, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 738**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 824**, entitled:

An act to repeal sections 444.765, 621.015, and 643.079, RSMo, and to enact in lieu thereof six new sections relating to environmental regulation.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 824, Page 9, Section 634.079, Lines 63-66, by deleting “by the same percentage as the percentage change in the general price level as measured by the Consumer Price Index for all Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency,”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 168, as amended**, and has taken up and passed **HCS SS SCS SB 168, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 355, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon and that the conferees be allowed to exceed the differences.

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Tuesday, May 10, 2005.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Kathy Chinn, District 8, hereby state and affirm that my vote as recorded on the motion to adopt House Amendment No. 2 to Part II of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355 in the House Journal for Monday, May 9, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of May 2005.

/s/ Kathy Chinn
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Tuesday, May 10, 2005, To be announced upon morning recess.
Executive session may follow
Public hearing to be held on: HCS SS SCS SB 210

CONFERENCE COMMITTEE NOTICE

Tuesday, May 10, 2005, Hearing Room 6 upon afternoon recess.
Public hearing to be held on: SS SCS HCS HB 58

CONFERENCE COMMITTEE NOTICE

Wednesday, May 11, 2005, Hearing Room 6 upon morning recess.
Public hearing to be held on: SS SCS HCS HB 58

CONFERENCE COMMITTEE NOTICE

Wednesday, May 11, 2005, Hearing Room 6 upon afternoon adjournment.
Public hearing to be held on: SS SCS HCS HB 58

FISCAL REVIEW

Tuesday, May 10, 2005, 9:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session.

FISCAL REVIEW

Wednesday, May 11, 2005, 8:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session. AMENDED

FISCAL REVIEW

Thursday, May 12, 2005, 8:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session. AMENDED

FISCAL REVIEW

Friday, May 13, 2005, 8:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session. AMENDED

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS AND LEASES OVERSIGHT

Tuesday, May 10, 2005, 8:30 a.m. Senate Committee Room 1.
Plans for possible tours during interim.
General discussion of leasing sites and capital improvements.

RULES

Tuesday, May 10, 2005, House Chamber side gallery upon evening adjournment.
Executive session may follow. AMENDED
Public hearings to be held on: HCS SS SCS SB 2, SCR 19

HOUSE CALENDAR

SEVENTY-SECOND DAY, TUESDAY, MAY 10, 2005

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 12 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491, Part I, Part II, Part III, pending - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach
- 26 HCS HB 842 & 831 - Brooks
- 27 HB 875 - Moore
- 28 HCS#2 HB 131 - Schaaf
- 29 HB 925 - Salva
- 30 HCS HB 948 - Cooper (158)
- 31 HB 970 - Yates

HOUSE BILL FOR PERFECTION - INFORMAL

HCS HB 639, as amended - Hoskins

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532 - Spreng
- 3 HB 952, E.C. - Icet
- 4 HCS HB 859 - Jetton

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 2, (3-02-05, Pages 470-471) - Sander
- 2 SS SCR 7, (4-28-05, Page 1340) - Portwood
- 3 SCR 13, HCA 1 (4-28-05, Page 1341, 5-05-05, Page 1561) - Cooper (120)
- 4 SCR 15, (4-27-05, Pages 1302-1303) - Stefanick

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 222 - Sutherland
- 2 SB 480, HPA 1, pending - Kraus
- 3 SB 518 - Cooper (155)
- 4 SCS SB 6 - Lager
- 5 SB 122 - Wright (137)
- 6 SB 162 - Cooper (155)
- 7 SB 209 - Pearce
- 8 HCS SB 216 - Goodman
- 9 SCS SB 227 - Kuessner
- 10 HCS SCS SB 238 - Faith
- 11 SCS SB 247 - Bruns
- 12 SB 265 - Wood
- 13 SB 288 - Lager
- 14 SB 304 - Ervin
- 15 HCS SB 308 - Pollock
- 16 SB 317 - Smith (118)
- 17 SCS SB 354 - Schlottach
- 18 SB 357 - Johnson (47)
- 19 HCS SB 364, E.C. - Franz
- 20 HCS SCS SB 372 - Kuessner
- 21 SCS SB 374 - Zweifel
- 22 SB 396 - Sutherland
- 23 HCS SB 401 - Lembke
- 24 SB 418 - Lipke
- 25 HCS SB 422 - Yates
- 26 HCS SCS SB 423 - Lipke
- 27 HCS SCS SB 450, E.C. - Portwood

- 28 SCS SB 496 - Kelly
- 29 SCS SB 502, E.C. - Portwood
- 30 SB 521, as amended - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 70 - Richard
- 2 SB 488, HCA 1, pending - Robinson
- 3 SB 280 - Wasson
- 4 SB 286 - Kingery
- 5 SB 479 - May
- 6 SB 526 - Cunningham (145)
- 7 SB 180 - Cooper (158)
- 8 HCS SCS SB 260 - Baker (123)
- 9 SB 268 - Byrd
- 10 SB 274 - Richard
- 11 SS SCS SB 346 - Ruestman
- 12 HCS SS SB 95 - Hubbard
- 13 HCS SB 99 - Wood
- 14 SB 141 - Richard
- 15 HCS SB 173 - Hobbs
- 16 HCS SB 187 - Guest
- 17 HCS SB 192 - Robinson
- 18 HCS SCS SBs 221, 250 & 256 - St. Onge
- 19 SB 232, HCA 1 - Bivins
- 20 SCS SB 310 - Dixon
- 21 HCS SCS SB 319 - Roark
- 22 SB 361 - Nance
- 23 SB 380 - Cunningham (86)
- 24 HCS SCS SBs 420 & 344 - Byrd (2 hours debate on Third Reading)
- 25 SB 431, E.C. - Sutherland
- 26 SCS SBs 23 & 51 - Lipke
- 27 HCS SS SCS SBs 74 & 49, E.C. - Cooper (155)
- 28 HCS SCS SB 161 - Chinn
- 29 HCS SS#2 SCS SB 225, E.C. - Hobbs
- 30 SB 254 - Tilley
- 31 HCS SCS SB 262 - Johnson (47)
- 32 HCS SCS SB 272 - Dempsey
- 33 SB 358 - Richard
- 34 HCS SS SCS SB 462, E.C. - Schad
- 35 HCS SCS SB 500, E.C. - Lager
- 36 HCS SCS SB 57 - Wilson (130)
- 37 HCS SB 194 - Kraus
- 38 HCS SCS SB 233 - Nance
- 39 HCS SCS SB 468 - Icet
- 40 HCS#2 SB 123 - Byrd
- 41 HCS SS SCS SB 144 - Byrd

- 42 HCS#2 SB 165 - Byrd
- 43 HCS SS SCS SB 287, (Fiscal Review 5-05-05) - Baker (123)
- 44 SB 257 - Baker (123)
- 45 HCS SB 320 - Baker (123)
- 46 HCS SB 405 - Byrd

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 707 - Cunningham (145)
- 3 SCS HCS HB 515 - Wood
- 4 SCS HB 638 - Cunningham (86)
- 5 SCS HB 685, E.C. - Franz
- 6 SCS HB 361 & HB 684 - Lipke
- 7 SCS HB 688 - Byrd
- 8 HCS HB 630, SPA 1 - Pollock
- 9 SCS HCS HB 362 - Lipke
- 10 SCS HB 456 - Kuessner
- 11 SCS HB 450 - Meiners
- 12 SCS HB 53 - Swinger
- 13 SCS HB 423 - Kuessner
- 14 SS SCS HCS HB 441, E.C. - Lipke
- 15 SCS HB 528 - Cunningham (145)
- 16 SCS HB 618 - Bearden
- 17 SCS HCS HB 297 - Pearce
- 18 SCS HCS HB 443 - Sander
- 19 SCS HCS#2 HB 232 - Portwood
- 20 SCS HB 229 - Portwood
- 21 HCS HB 525, SSA 1 for SA 1, SA 3 & SA 6 - May
- 22 HCS HB 576, SCA 1 - Flook
- 23 SS SCS HB 487, as amended, E.C. - Bruns
- 24 HB 114, SA 1 to SA 1, SA 1, as amended - Johnson (47)
- 25 SS HB 116, as amended, E.C. - Deeken
- 26 SS SCS HCS HB 437 - Jackson
- 27 HCS HB 824, SA 1 - Hobbs
- 28 SS SCS HCS HB 64, E.C. - Sutherland
- 29 SS SCS HCS HB 500 & 533 - Faith

BILLS CARRYING REQUEST MESSAGES

- 1 SCS HB 678, as amended (request Senate recede/grant conference) - Byrd
- 2 HCS SCS SB 355, as amended
(request House recede/grant conference/exceed differences), E.C. - Loehner

BILLS IN CONFERENCE

- 1 HCS SS SCS SB 210, as amended - Johnson (47)
- 2 HCS SCS#2 SB 155, as amended - Kingery
- 3 SS SCS HCS HB 58, as amended, E.C. - Johnson (47)
- 4 HCS SS SB 343, as amended - Richard

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton
- 4 HCR 28, (4-21-05, Pages 1196-1197) - Salva

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

- 1 HCR 14, (4-26-05, Pages 1277-1278) - Zweifel
- 2 HJR 23 - Emery
- 3 HB 846 - Page

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTY-SECOND DAY, TUESDAY, MAY 10, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend Steve Drury of St. Louis.

We celebrate our life today with praise to You our Creator for the blessings You have given. For the strength and wisdom as available as we ask You and believe You will give us.

We ask that as this Session comes near the end that these final days bring cohesion among all the members, even in differences, to make the last decisions for the common good of all residents of the state of Missouri.

Today we ask for not only a blessing upon this House but the Senate, our Governor, Matt Blunt and his family, and all the elected leaders of this state, our President, George Bush, our Vice-President, Dick Cheney, and all our national leaders.

Our hearts are heavy as we hear the news of our soldiers fighting for our freedom giving their lives. Be with our brave men and women today. Put a shield of protection around them like You did the armies of Hezekiah in II Chronicles. Give comfort to those who have lost family members in the battles for our freedom. We thank You for the safe return of our own Missouri Representative Jim Avery.

At home, we ask for Your comfort today for those who have loved ones in the bus accident yesterday, here in our state and the children traumatized who attended school with them.

Finally, we ask Your anointed blessings upon this Session today as we give You thanks for all You have done.

Accept our thanks and praise.

In the precious name of our Savior Jesus Christ. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Allie Armstrong, Dylan Derboven, Mercedes Forrest, Brendan Kelly, Alexandra Zrenner, Amanda Brockelmeyer, Nathan Storz, Christy Manuel, Jackson Meyers, Kristin Metz, Dylan Neal, Anna Henley, Tomesia Brumbaugh, Hunter Brumbaugh, Jacob Brumbaugh, Tori Brumbaugh, Ji Hye Lee, Alexander Carl Basi, Laura Ransin, Jamie Johnson, Katelyn Crosson, Manda Back, Caitlyn Propst, Kayla Cooley, Matthew Boeding, Cole Shoemaker, Krista O'Loughlin, Lucas Morris, Kevin Wamsley, Courtney Lyon, Justin Connaway, Adam Fincher, Sierra Myers and Dylan Vorhees.

The Journal of the seventy-first day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3075
through
House Resolution No. 3078 - Representative Baker (123)
House Resolution No. 3079 - Representative Denison
House Resolution No. 3080
through
House Resolution No. 3084 - Representative Schoemehl
House Resolution No. 3085
through
House Resolution No. 3090 - Representatives Wilson (130) and Ruestman
House Resolution No. 3091
and
House Resolution No. 3092 - Representative Nieves
House Resolution No. 3093
through
House Resolution No. 3106 - Representative Smith (118)
House Resolution No. 3107 - Representative Wright (137)
House Resolution No. 3108 - Representative Meadows
House Resolution No. 3109 - Representative Avery
House Resolution No. 3110 - Representative Wood
House Resolution No. 3111
through
House Resolution No. 3113 - Representative Kingery
House Resolution No. 3114 - Representative Darrough
House Resolution No. 3115
through
House Resolution No. 3128 - Representative Muschany
House Resolution No. 3129 - Representative Parson

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 287** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

HCS SCS SB 233, relating to designation of highways and bridges, was taken up by Representative Nance.

Representative Bearden offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 233, Section A, Page 1, Line 3, by inserting immediately after all of said line the following:

"227.241. Sections 227.241 to 227.249 shall be known as the "State Highway Utility Relocation Act". The commission shall not be required to redesign any project plans or mail additional notices, nor shall the owner of a utility facility be required to submit additional relocation plans or otherwise comply with requirements of sections 227.241 to 227.249 for any construction project on a state highway for which the letting date was prior to December 31, 2005.

227.242. As used in sections 227.241 to 227.249, the following terms shall mean:

(1) "Act of God", an unanticipated grave natural disaster or other natural phenomenon of an exceptional, inevitable, and irresistible character, the effects of which could not have been prevented or avoided by the exercise of due care or foresight;

(2) "Commission," the highways and transportation commission created under section 226.020, RSMo, and article IV, section 29 of the Missouri Constitution, the director, or designees of the director for the purpose of sections 227.240 to 227.248;

(3) "Construction project", all contracts for construction of state highways let under section 227.100, except for contracts for maintenance or resurfacing determined by the commission not to conflict with public utilities and routine maintenance and repairs completed by employees of the commission. This term shall also include state highway construction projects of transportation development districts and corporations under chapter 238, RSMo, if such projects are awarded pursuant to section 227.100. The term "construction project" shall not include projects for road beautification, road irrigation, and drainage projects, culvert installation or repair, sound wall installation, decorative lighting, landscaping, or other projects not directly related to improving or routing highway traffic. The term "construction project" shall also not include any project authorized by the commission to accommodate any private development, including a shopping mall, stadium, office building, or arena;

(4) "Contractor", any person entering into a contract with the highway and transportation commission for purposes of completing a construction project on a state highway, including a subcontractor or supplier to such contractor;

(5) "Customer delays", delays in the relocation work due to delays caused by the utility's customers, including but not limited to delays in getting written or oral approvals from customers for permissible utility service cut-over dates;

(6) "Cut-over date", the date utility owner interrupts utility service to a utility customer provided through an existing utility facility and switches the service over to a new utility facility serving the customer;

(7) "Day" or "days", a business day or a period of consecutive business days consisting of every work day excluding Saturdays, Sundays, and legal holidays;

(8) "Director", the director of the Missouri department of transportation appointed pursuant to section 226.040;

(9) "Extreme weather event", a severe weather occurrence, including but not limited to fire, flood, earthquake, tornado, wind, hurricane, storm, ice, abnormal rainfall, blizzard, or extended periods of severe inclement weather;

(10) "Letting date", the date established by the commission for the acceptance of bids by contractors under section 227.100;

(11) "Mail", a dated written transmittal sent to the addressee by regular or certified mail;

(12) "Maintenance", routine work performed on state highways by employees of the commission or contractors to the commission, including minor pavement and shoulder repairs, striping, grading, irrigation ditch clearing, street overlays, and other work determined by the commission not to conflict with public utilities;

(13) "Notice to proceed", notice by the commission to a contractor to proceed with work on a contract awarded by the commission;

(14) "Owner", the individual, firm, joint venture, partnership, corporation, association, cooperative, municipality, county, district, political subdivision, department, agency, or any other institution owning or operating utility facilities;

(15) "Project plans", any plan for highway construction projects demonstrating the need to design and conduct utility facility alterations or relocations due to the work;

(16) "Relocate" or "relocation", the adjustment of utility facilities, as the commission or director may determine is necessary in connection with the construction of a state highway. Relocation includes:

- (a) Removing and reinstalling the utility facility, including necessary temporary facilities;
- (b) Moving, rearranging, or changing the type of existing utility facilities; and
- (c) Taking any necessary safety and protective measures;

(17) "Relocation plan," a plan designed by the owner to carry out utility facility relocation work to accommodate a construction project on a state highway;

(18) "Resurfacing", work which provides a new roadway surface for existing pavement on a state highway, including minor base patching, intersection paving, shoulder work, and guard rail work which is determined by the commission not to conflict with public utilities;

(19) "State highway", a highway constructed or maintained at the cost of the state or constructed with the aid of state funds or United States government funds or any highway included by authority of law in the state highway system or any highway constructed under the authority of a transportation development district or corporation under chapter 238, RSMo, where such contract is awarded under section 227.100;

(20) "Utility contractor", a person contracting with an owner of a utility facility or a subcontractor to a person contracting with an owner of a utility facility, for the alteration relocation or installation of a utility facility in connection with a construction project on a state highway;

(21) "Utility facility", any underground facility as defined in section 319.015, RSMo, and aboveground facilities, including poles, lines, wires, and appurtenances for the purposes of electrical power, telephone, telegraph, fiber optic and cable television services, and any other purpose or which aboveground utility facilities may be located along state highways;

(22) "Work", construction and services required of the contractor by the contractor's contract with the commission, including excavation as that term is defined in section 319.015, RSMo.

227.243. 1. At the earliest possible date in the design of a construction project on a state highway, the commission shall attempt to determine what utility facilities are located within the right-of-way of the planned construction project by researching permit files and reviewing map files maintained by the commission. The commission shall also, as necessary, conduct field investigations and contact local governments to identify any utility facilities within the right-of-way.

2. Within thirty days of completion of the survey conducted under subsection 1 of this section, the commission shall notify in writing owners of each known utility facility that a construction project is planned that may conflict with their utility facility. The notification shall include the name or route number of the highway, the geographical limits of the planned construction project, a general description of the work to be done including a preliminary plan, the desired date for completion of a relocation plan, and the anticipated month and year a letting date could be set for the construction project.

3. The owner shall examine the notice and notify the commission in writing of any utility facility not correctly described in the commission's notice. Within sixty days of receiving the notice required in subsection 2 of this section, the owner shall provide a written response to the commission. The response shall describe and provide the general location of each utility facility of the owner by confirming the location shown in the commission's notice or by providing additions or corrections.

227.244. 1. Upon completion of the initial design of the construction project, the commission shall provide at least one set of project plans to each owner of a utility facility identified under section 227.243.

2. The project plans shall show those portions of the construction project upon which the owner's utility facilities are located and where the utility facilities of other owners are located in relation to work required for the project. The commission shall also provide with the project plans a description of any right-of-way still to be purchased and the anticipated letting date of the project. The project plan shall be accompanied by a complete set of plans including profile, cross-section, drainage, signal, lighting, signing plans, temporary road plans that may affect utilities, and other pertinent plan sheets. Upon request of the owner, the commission shall provide any additional plan information needed by the owner to design and lay out the removal, relocation, or adjustment of existing facilities and the placement of relocated or new utility facilities within the limits of the construction project.

3. Within thirty days of receipt of the project plans, the utility owner shall develop a preliminary plan of adjustment and return the marked-up project plans to the commission. The plan of adjustment shall include:

- (1) Verification that all utility facilities are shown;
- (2) The proposed location of adjusted utility facilities;

(3) Any additional right-of-way requirements; and

(4) Any other concerns.

4. When two or more owners have facilities in the area encompassed by the construction project, the commission shall schedule a utility coordination meeting as soon as possible but no longer than thirty days from the date the project plans were mailed. The commission's project manager and all owners are required to attend this meeting. If there is a conflict between two owners which cannot be satisfactorily resolved by the owners, the commission shall determine the most appropriate method to resolve the conflict between the two owners, and, in making such determination, shall weigh equally the length of time necessitated by each owner's proposal, and the relative cost to each owner if the other's proposal is adopted. The commission shall notify all utility owners involved with the project in writing of the commission's acceptance or revisions to the utility plan of adjustment.

227.245. 1. Within one hundred twenty days of receiving written notice of approval of the utility plan of adjustment from the commission, the owner shall provide the commission with a relocation plan. The one hundred twenty-day clock stops after the relocation plan is submitted by the owner. If, after timely submission of the relocation plan by the owner, revisions or alterations are necessary for any reason, or if the original relocation plan was incomplete due to information needed from other parties, the one hundred twenty-day clock begins to run again when the needed information is received back by the owner.

2. The relocation plan shall include a narrative description of work that will be done in relocating the owner's utility facilities and whether the work or a portion of the work must be coordinated with or is contingent upon work being performed by another utility facility owner or the contractor to the commission. The relocation plan shall list, if applicable, any anticipated issues or problems related to the acquisition of right-of-way. The relocation plan shall, if applicable, detail the anticipated number of days to acquire additional easements not provided within the new highway right-of-way. The relocation plan shall also give estimates as to the time needed to obtain any necessary customer approvals for cut-over dates, if necessary. The relocation plan shall state when the work will be started and the length of time in days estimated to complete the work. It is permissible for an owner to state in a relocation plan that the owner's work will be completed within a stated number of days from the date that a contractor or another owner completes certain identified work which interferes with the owner's work. The relocation plan shall identify any contingencies, if applicable, that may impact the anticipated start of relocation. The relocation plan shall also describe whether the plan is incomplete due to:

(1) Other owners failing to coordinate their plans with the owner submitting the plan;

(2) Other owners failing to provide information necessary to submit a complete relocation plan;

(3) The commission failing to provide any information required by subsection 2 of section 227.244; or

(4) Any other reason explained in the plan regarding the circumstances and cause of the plan being incomplete.

3. The commission shall review the relocation plan to ensure compatibility with permit requirements, the project plan, and the anticipated letting date and notice to proceed for the project. If utility relocation is dependent upon or must be coordinated with work to be completed by the contractor, the relocation plan shall assure timely completion of the project. If the relocation plan is acceptable to the commission, the commission shall notify the owner in writing within thirty days of receiving the plan. If the relocation plan submitted by the owner is not compatible, reasonable, or does not allow timely completion of the project, the commission shall advise the owner in writing as soon as practicable, but not later than thirty days after receiving the relocation plan. The commission shall specify in the notice which parts of the relocation plan it finds objectionable, and the reasons for its conclusions. The owner shall submit a revised relocation plan within thirty calendar days after receipt of notice by the commission that the relocation plan is not acceptable. The commission shall review the revised relocation plan, and if the relocation plan is still not acceptable, the commission shall provide a relocation plan to the owner. The owner shall not be bound by the terms of the commission's relocation plan if such relocation plan:

(1) Requires the payment of overtime to employees to expedite the construction project; or

(2) Requires the owner to comply with a deadline which is not feasible due, in whole or in part, to one or more factors outside the control of the owner.

4. If the owner informs the commission, in writing, or the commission determines that the owner's relocation work is dependent upon or must be coordinated with work being performed by the commission's contractor, the commission shall convene a meeting of the contractor and the one or more owners whose relocation work is dependent upon or must be coordinated with the contractor's work. Such meeting shall be held after the letting date at which bids were received for the construction project, but prior to the issuance of a notice to proceed to the commission's contractor. After such meeting, and before or concurrent with the issuance of a

notice to proceed, the commission shall provide a schedule for the relocation of utilities to the owner and the commission's contractor. If the approved relocation plan, or a portion of such plan, is dependent upon or must be coordinated with work to be performed by the contractor, the contractor shall notify the commission of its best estimate of the date that all construction necessary for the relocation of utilities will be completed, at least fourteen days prior to such date. If such completion date is delayed due to weather or other causes, the contractor shall immediately notify the commission of the delay and the revised expected completion date. The contractor shall give a second notice to the commission five days prior to the date work will be completed as necessary for relocation work to begin. It shall be the responsibility of the commission to notify the owner or owners of the contractor's estimated completion dates. The contractor may also notify the owner directly of such dates, if the contractor has received information from the owner under subsection 7 of this section, but such notice shall not relieve the commission of its obligation to notify the owner. If the contractor's delay causes additional delay by the owner, the commission and the owner shall negotiate in good faith to determine the new completion date.

5. (1) The commission shall notify the owner in writing not less than thirty days before the owner is required to begin relocation provided for in the approved relocation plan. Unless the owner has encountered excusable delay as set forth in subsection 4 of section 227.248, the owner shall complete its work within the time frame described in the relocation plan, and shall complete all work that can be done prior to construction before the issuance of the notice to proceed, including work that may need to be coordinated with other utility owners but is not dependent on the work of the contractor.

(2) The notice required by subdivision (1) of this subsection shall include the name, address, telephone number, facsimile number, and electronic mail address of the commission's contractor and any subcontractors performing work on the construction project. Such information shall also include the name and title of an individual employed by the contractor or subcontractor having primary responsibility for the construction project. Within fifteen days of receiving notice, the owner shall provide to the commission and the commission's contractor the name, address, telephone number, facsimile number, and electronic mail address of the employee of the owner who is responsible for implementation of the owner's relocation plan and the same information for any utility contractor to the owner for purposes of carrying out the relocation plan.

6. The owner shall notify the commission when relocation work has started. During the course of the relocation work, the commission may require owners to provide progress reports until its relocation is completed. The owner shall notify the commission when all relocation work is complete. All notices of either starting or completion of relocation work and all monthly progress reports shall be provided within five days after such dates.

227.246. 1. If, prior to the letting date of the construction project, the commission's project plan is changed so that additional or different utility relocation work is found necessary, the commission shall furnish a revised project plan under section 227.244, and the owner shall provide the commission with a revised relocation plan under section 227.245, except that the time allowed for the owner to submit the revised relocation plan after receipt of the revised project plan shall not exceed sixty days.

2. If, after the letting date of the highway construction project, additional utility relocation work is found necessary which was not indicated on the original project plan, the commission shall provide the owner with a revised project plan within fifteen days and the commission and the owner shall agree on a reasonable schedule for completion of the additional utility location.

227.247. 1. The commission shall have authority to require that any required notice, response, or plan be submitted by mail or certified mail. Otherwise notices, plans, and other statements in writing may be provided by mail, facsimile, or electronic mail. The commission may require that some form of proof of receipt be provided in regard to any notice, plan, or other statement in writing. Upon mutual agreement between the commission and an owner, additional time may be granted for the completion of any act required by sections 227.241 to 227.249.

2. Nothing in sections 227.241 to 227.249 shall be construed to relieve a contractor from making notice of excavation as required by sections 319.010 to 319.050, RSMo, of the underground facility safety and damage prevention act, or complying with the requirements of sections 319.075 to 319.090, RSMo, of the overhead powerline safety act, except to the extent that any provisions of sections 227.241 to 227.249 require additional obligations beyond those set forth in sections 319.011 to 319.050, RSMo, or sections 319.075 to 319.090, RSMo, in which case the requirements of sections 227.241 to 227.249 shall prevail.

227.248. 1. If the owner of a utility facility fails to provide the responses or corrections to project plans required by sections 227.243 to 227.246, the commission may recover from the owner damages in the amount of up to one hundred dollars per day for each day the required act is not completed.

2. If the owner fails to provide a relocation plan or fails to timely relocate utility facilities in accordance with the relocation plan as required by section 227.245, the commission may recover from the owner damages in the amount of up to one thousand dollars per day for each day the required act is not completed.

3. The damages authorized by subsections 1 and 2 of this section may be recovered through actions brought by the chief counsel to the commission, or may be referred to the attorney general for appropriate action. An action to collect the damages authorized by this section shall be brought in a court of appropriate jurisdiction. All damages collected under this section shall be deposited in the state road fund.

4. No damages or fines of any kind shall be assessed for delays that result, in whole or in part, directly or indirectly, from any of the following:

- (1) Customer delays;
- (2) Labor strikes or shortages;
- (3) Terrorist attacks, riots, civil unrest, or criminal sabotage;
- (4) Acts of God, or extreme weather events;
- (5) Delays caused by staffing shortages in the geographic area near the commission's construction project due to the owner's need to reassign an unusual number of workers to any other area to respond to an act of God or extreme weather event;
- (6) The failure of another owner to sufficiently complete its required relocation of utility facilities that interfere with an owner's relocation plan;
- (7) The failure of another owner or delay by another owner in submitting relocation plans that interfere with an owner's relocation plan;
- (8) Delays by the commission in acquiring necessary right-of-way or necessary easements;
- (9) Delays caused by facility damages or cable cuts caused by the commission's contractor, other owners, or third parties;
- (10) Unusual material shortages; and
- (11) Any other event or action beyond the reasonable control of the owner.

The occurrence of any of the unusual events listed in this section shall constitute an affirmative defense to the assessment of damages under the provisions of this section.

5. The removal and relocation of utility facilities shall be made at the expense of the owners unless otherwise provided by the commission. If the owner fails to relocate the utility facilities in accordance with the relocation plan as required by section 227.245, the utility facilities may be removed and relocated by the state highways and transportation commission, or under its direction, and the cost of relocating the utility facilities shall be collected from such owner. If the state highways and transportation commission or its designee removes and relocates the utility facilities, the utility owner shall not be liable to any party for any damages caused by the commission's or the commission's designee's removal and relocation of such facilities.

227.249. Any home rule city having a population of sixty thousand inhabitants or greater or any charter county of the first classification may adopt ordinances, policies, resolutions, or regulations consistent with sections 227.241 to 227.249 regarding the relocation of utility facilities located within the right-of-way of streets, highways, or roads under their respective jurisdiction, which are not state highways. Any ordinance, policy, resolution, or regulation adopted under the authority of this section shall not infringe upon, negate or otherwise abrogate an owner's right to construct, own, operate, and maintain utility facilities within the right-of-ways of such political subdivision that the owner otherwise enjoyed prior to the adoption of such ordinance, policy, resolution, or regulation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 233, Section 227.249, Page 11, Lines 7-8, by deleting all of said lines and inserting in lieu thereof the following:

“227.249. Any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants may adopt ordinances, policies, resolutions, or”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Bearden, **House Amendment No. 1, as amended**, was adopted.

Representative Swinger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 233, Section 227.356, Page 1, Line 3, by inserting after all of said line the following:

“227.358. The portion of U.S. 412 in Dunklin County from the eastern city limits of Kennett, Missouri, to the western city limits of Hayti, Missouri, within Pemiscot County shall be designated the "Governor John M. Dalton Memorial Highway”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swinger, **House Amendment No. 2** was adopted.

Representative Zweifel offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 233, Page 4, Section 227.365, Line 78, by inserting after all of said line the following:

"227.367. The portion of highway 370 in St. Louis County from the intersection of Interstate 270, west to the Discovery Bridge, shall be designated the "Officer Scott Armstrong Memorial Highway". Costs for such designation shall be paid by the Bridgeton Optimist Club.”; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Zweifel, **House Amendment No. 3** was adopted.

Speaker Pro Tem Bearden assumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Bland	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Bowman	Boykins	Schaaf
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VACANCIES: 001

On motion of Representative Nance, **HCS SCS SB 233, as amended**, was adopted.

On motion of Representative Nance, **HCS SCS SB 233, as amended**, was read the third time and passed by the following vote:

AYES: 128

Aull	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Bland	Bringer	Brown 30
Brown 50	Bruns	Byrd	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Curls
Darrough	Daus	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Emery	Faith	Fares	Fisher	Flook
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kuessner	Lager
Lampe	Lembke	Liese	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Myers	Nance
Nolte	Oxford	Page	Parson	Pearce
Pollock	Portwood	Quinn	Rector	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Salva	Schaaf	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Silvey	Skaggs	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Young	Zweifel	Mr Speaker		

NOES: 027

Avery	Burnett	Chinn	Cunningham 86	Davis
Dusenberg	Ervin	Franz	Kraus	LeVota
Lipke	Muschany	Nieves	Parker	Phillips
Pratt	Roark	Rupp	Sander	Sater
Schad	Selby	Smith 14	Smith 118	Spreng
Wilson 119	Yates			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 006

Baker 25	Bowman	Boykins	Casey	El-Amin
Wildberger				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SBs 221, 250 & 256, relating to operation of motor vehicles, was taken up by Representative St. Onge.

Representative St. Onge offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 221, 250 & 256, Page 12, Section 302.302, Line 45, by inserting after all of said line the following:

"(16) Endangerment of a highway worker in violation of section 304.585 8 points
(17) Aggravated endangerment of a highway worker in violation of section 304.585 . . 12 points"; and

Further amend said bill, Page 19, Section 304.016, Line 37, by inserting after the word "roadway" the following:

", except that the provisions of this subdivision shall not apply when:

(a) Executing a lawful turn; or
(b) Overtaking a vehicle, as defined in section 307.020, RSMo, that is traveling at a speed of less than twenty-five miles per hour, or when avoiding debris in the roadway, so long as such action does not create a hazard, as specified in subdivision (1) of subsection 4 of this section"; and

Further amend said bill, Pages 29 to 30, Section 304.582, Lines 1 to 41, by striking said section and inserting in lieu thereof the following:

"304.582. 1. Upon the first conviction or plea of guilty by any person for a moving violation as defined in section 302.010, RSMo, or any offense listed in section 302.302, RSMo, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized to be imposed by law, if the offense occurred within a construction zone or a work zone. A second or subsequent violation of this subsection shall result in the court assessing a fine of seventy-five dollars in addition to any other fine authorized to be imposed by law.

2. Upon the first conviction or plea of guilty by any person for a speeding violation pursuant to either section 304.009 or 304.010, or a passing violation pursuant to subsection 4 of this section, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law if the offense occurred within a construction zone or a work zone and at the time the speeding or passing violation occurred there was any highway worker in such zone. A second or subsequent violation of this subsection shall result in the court assessing a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine pursuant to this subsection shall also be assessed an additional fine pursuant to subsection 1 of this section, and no person shall be assessed an additional fine pursuant to this subsection if no signs have been posted pursuant to subsection 3 of this section.

3. The penalty authorized by subsection 2 of this section shall only be assessed by the court if the department of transportation or contractor or subcontractor performing work for the department of transportation has erected signs upon or around a construction or work zone which are clearly visible from the highway and which state substantially the following message: "Warning: minimum \$250 fine for speeding or passing in this work zone when workers present".

4. The driver of a motor vehicle may not overtake or pass another motor vehicle within a work zone or construction zone as provided in this subsection. Violation of this subsection is a class C misdemeanor.

(1) This subdivision applies to a construction zone or work zone located upon a highway divided into two or more marked lanes for traffic moving in the same direction and for which motor vehicles are instructed to merge from one lane into another lane and not pass by appropriate signs or traffic control devices erected by the department of transportation or a contractor or subcontractor performing work for the department of transportation.

(2) This subdivision also prohibits the operator of a motor vehicle from passing or attempting to pass another motor vehicle in a work zone or construction zone located upon a two-lane highway when highway workers or equipment are working and when appropriate signs or traffic control devices have been erected by the department of transportation or a contractor or subcontractor performing work for the department of transportation.

5. The additional fines imposed by subsection 4 of this section shall not be construed to enhance the assessment of court costs or the assessment of points pursuant to section 302.302, RSMo."; and

Further amend said bill, Pages 30 and 31, Section 304.585, Lines 1 to 34, by striking said section and inserting in lieu thereof the following:

"304.585. 1. A person shall be deemed to commit the offense of "endangerment of a highway worker" upon conviction for any of the following when the offense occurs within a "construction zone" or "work zone", as defined in section 304.580:

- (1) Exceeding the posted speed limit by twenty-five miles per hour or more;**
- (2) Passing in violation of subsection 4 of section 304.582, resulting in injury or death to a highway worker;**
- (3) Failure to stop for a work zone flagman or failure to obey traffic control devices erected in the construction zone or work zone for purposes of controlling the flow of motor vehicles through the zone;**
- (4) Physically assaulting, or attempting to assault, or threatening to assault a highway worker in a construction zone or work zone, with a motor vehicle or other instrument;**
- (5) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect workers and motorists in the work zone for a reason other than avoidance of an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or**
- (6) Committing any of the following offenses for which points may be assessed under section 302.302, RSMo:**
 - (a) Leaving the scene of an accident in violation of section 577.060, RSMo;**
 - (b) Careless and imprudent driving in violation of subsection 4 of section 304.016;**
 - (c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020, RSMo,**
 - (d) Operating with a suspended or revoked license;**
 - (e) Obtaining a license by misrepresentation;**
 - (f) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;**
 - (g) Any felony involving the use of a motor vehicle; or**
 - (h) Knowingly permitting an unlicensed operator to operate a motor vehicle.**

2. Upon conviction or a plea of guilty for committing the offense of "endangerment of a highway worker" pursuant to subsection 1 of this section if no injury or death to a highway worker resulted from the offense, in addition to any other penalty authorized by law, the person shall, upon conviction or plea of guilty, be guilty of a class A misdemeanor and shall have their driver's license suspended under section 302.304, RSMo.

3. A person shall be deemed to commit the offense of "aggravated endangerment of a highway worker" upon conviction or a plea of guilty for any offense pursuant to subsection 1 of this section which results in the injury or death of a highway worker. Any person who is convicted of the offense of aggravated endangerment of a highway worker in which a highway worker is injured shall, upon conviction or plea of guilty, shall be guilty of a class D felony, and shall have his or her driver's license revoked under section 302.304, RSMo. Any person who is convicted of the offense of aggravated endangerment of a highway worker in which the death of a highway worker occurs shall, upon conviction or plea of guilty, be guilty of a class C felony and have his or her driver's license revoked under section 302.304.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to commit the offense of endangerment of a highway worker except when the act or omission constituting the offense occurred when one or more highway workers were in the construction zone or work zone.

5. No person shall be cited or convicted for endangerment of a highway worker or aggravated endangerment of a highway worker, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle or from the negligence of another person or a highway worker."; and

Further amend said bill, Pages 31 to 32, Section 304.590, by striking said section from the bill; and

Further amend said bill, Page 32, Section 307.178, Line 12, by striking the word "four" and inserting in lieu thereof the following:

"sixteen"; and

Further amend Line 13, by striking "210.104, RSMo"; and inserting in lieu thereof the following:

"307.179"; and

Further amend said bill, Page 33, Section 307.178, Line 48, by striking said line and inserting in lieu thereof the following:

"vehicle, then the [driver and] passengers [are not in violation of this section] who are unable to wear seat belts, shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front-seated area. This subsection shall not apply to passengers who are accompanying a driver of a motor vehicle who is licensed pursuant to section 302.178, RSMo."; and

Further amend said bill, Pages 33 to 35, Section 307.179, Lines 1 to 41, by striking said section and inserting in lieu thereof the following:

"307.179. 1. As used in this section, the following terms shall mean:

(1) "Child booster seat", a seating system which meets the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213, as amended, that is designed to elevate a child to properly sit in a federally approved safety belt system;

(2) "Child passenger restraint system", a seating system which meets the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213, as amended, and which is either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a universal attachment system.

2. Every person transporting a child under the age of sixteen years shall be responsible, when transporting such child in a motor vehicle operated by that person on the streets or highways of this state, for providing for the protection of such child as follows:

(1) Children less than four years of age shall be properly secured in a child passenger restraint system appropriate for that child, according to the child passenger restraint system and the vehicle manufacturer's instructions;

(2) Children four through five years of age shall be properly secured in a child passenger restraint system or a child booster seat appropriate for that child, according to the child passenger restraint system and the vehicle manufacturer's instructions;

(3) Children six years of age or older shall be secured by a vehicle safety belt, child passenger restraint system, or booster seat appropriate for that child, according to the child passenger restraint system and the vehicle manufacturer's instructions;

(4) A child, who would otherwise be required to be secured in a booster seat, may be transported in the back seat of a motor vehicle while wearing only a lap belt if the back seat of the motor vehicle is not equipped with a combination lap and shoulder belt for booster seat installation.

3. Any person who violates this section is guilty of an infraction and, upon conviction, may be punished by a fine of not more than twenty-five dollars. No court costs shall be charged for a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, RSMo, for violation of this section. If a person receives a citation for violating this section, the charges shall be dismissed or withdrawn if the person prior to or at his or her hearing provides evidence of acquisition of a child passenger restraint system or child booster seat which is satisfactory to the court or the party responsible for prosecuting the person's citation.

4. The provisions of this section shall not apply to any public carrier for hire. The provisions of this section shall not apply to students four years of age or older who are passengers on a school bus as defined in section 301.010, RSMo.

5. In no event shall failure to employ a child passenger restraint system required by this section provide the basis for a claim of civil liability or negligence or contributory negligence of any person in any action for damages by reason of injury sustained by a child. Nor shall such failure to employ such child passenger restraint system be admissible as evidence in the trial of any civil action.

6. The state highways and transportation commission shall initiate and develop a program of public information to develop understanding of, and ensure compliance with the provisions of this section. The commission may promulgate rules and regulations for the enforcement of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and,

if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections [210.104,] 577.070[,] and 577.073, RSMo, and chapters 252, 301, 302, 304, 306, 307 and 390, RSMo, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040, RSMo; and for traffic court divisions established pursuant to section 479.500, RSMo. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation.

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the "central violations bureau", shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section 302.302, RSMo, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

- (1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;
- (2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the

centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, RSMo, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665, RSMo; and may be subject to suspension of driving privileges in the manner provided by section 302.341, RSMo. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665, RSMo. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, RSMo, and the department shall thereupon suspend the license of the driver in the manner provided by section 302.341, RSMo, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the courts may use the remedies provided by sections 488.010 to 488.020, RSMo, for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section."; and

Further amend said bill, Page 40, Section 210.104, Line 10, by inserting after all of said line the following:

"[210.106. In no event shall failure to employ a child passenger restraint system required by section 210.104 provide the basis for a claim of civil liability or negligence or contributory negligence of any person in any action for damages by reason of injury sustained by a child; nor shall such failure to employ such child passenger restraint system be admissible as evidence in the trial of any civil action.];" and

Further amend the title and enacting clause accordingly.

On motion of Representative St. Onge, **House Amendment No. 1** was adopted.

Representative St. Onge offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 221, 250 & 256, Section 43.250, Page 2, Line 3, by deleting the words "**two**" and inserting in lieu thereof the words "**one**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 2** was adopted.

Representative Schlottach offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 221, 250 & 256, Section 304.155, Page 24, Line 162, by inserting immediately after said line the following:

"304.184. Notwithstanding any other provision of law to the contrary, any truck, tractor-trailer or other combination engaged in transporting solid waste, as defined by section 260.200, between any city and a solid waste disposal area or solid waste processing facility approved by the department of natural resources or department of health and senior services, may operate with a weight not to exceed twenty-two thousand four hundred pounds on one axle or a weight not to exceed forty-four thousand eight hundred pounds on any tandem axle; but nothing in this section shall be construed to permit the operation of any motor vehicle on the interstate highway system

in excess of the weight limits imposed by federal statute; and no such truck, tractor-trailer or other combination shall exceed the width and length limitations provided by section 304.190, RSMo."; and

Further amend said bill, Section 210.107, Page 40, Line 10, by inserting immediately after said line the following:

"[260.218. Notwithstanding any other provision of law to the contrary, any truck, tractor-trailer or other combination engaged in transporting solid waste, as defined by section 260.200, between any city and a solid waste disposal area or solid waste processing facility approved by the department of natural resources or department of health and senior services, may operate with a weight not to exceed twenty-two thousand four hundred pounds on one axle or a weight not to exceed forty-four thousand eight hundred pounds on any tandem axle; but nothing in this section shall be construed to permit the operation of any motor vehicle on the interstate highway system in excess of the weight limits imposed by federal statute; and no such truck, tractor-trailer or other combination shall exceed the width and length limitations provided by section 304.190, RSMo.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schlottach, **House Amendment No. 3** was adopted.

Representative Denison offered **House Amendment No. 4**.

Representative St. Onge raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Hughes offered **House Amendment No. 5**.

Representative St. Onge raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Shoemyer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 221, 250 & 256, Page 32, Section 307.178, Line 14, by deleting all of said line and inserting in lieu thereof the following:

"compliance with this subsection **unless the law enforcement officer has a reasonable belief that the driver or occupants of a vehicle are less than eighteen years of age; however, nothing shall prohibit a law enforcement officer**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Selby offered **House Amendment No. 1 to House Amendment No. 6**.

Representative St. Onge raised a point of order that **House Amendment No. 1 to House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Rector offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1
for
House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 221, 250 & 256, Page 32, Section 307.178, Lines 14-16, by deleting all of said lines and inserting in lieu thereof the following:

“compliance with this subsection. The provisions of this section shall not be applicable to persons”; and

Further amend said bill, Section 307.178, Page 33, Lines 20-21, by deleting the following phrase on said lines, **“or for a search of the driver, passenger, or vehicle”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Avery	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 061

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Daus	Donnelly	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows

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Meiners	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 004

Baker 123	Boykins	Darrough	Kelly
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VACANCIES: 001

On motion of Representative Rector, **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted by the following vote:

AYES: 091

Baker 123	Bean	Behnen	Black	Brooks
Brown 30	Brown 50	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 158	Cunningham 145	Curls	Davis
Day	Deeken	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Fisher
Franz	George	Guest	Harris 110	Haywood
Henke	Hobbs	Hughes	Hunter	Icet
Jones	Kraus	Kuessner	Lager	Lampe
Lembke	Liese	Loehner	Low 39	Marsh
McGhee	Munzlinger	Muschany	Myers	Nance
Nieves	Parson	Phillips	Pollock	Portwood
Quinn	Rector	Richard	Roark	Robb
Robinson	Rucker	Ruestman	Salva	Sander
Sater	Schad	Self	Shoemyer	Skaggs
Smith 118	Sutherland	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Wasson	Wells
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yates	Young
Mr Speaker				

NOES: 069

Aull	Avery	Baker 25	Bearden	Bivins
Bland	Bowman	Bringer	Bruns	Burnett
Byrd	Cooper 155	Corcoran	Cunningham 86	Darrough
Daus	Dempsey	Denison	Dougherty	Faith
Fares	Flook	Fraser	Goodman	Harris 23
Hoskins	Hubbard	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Kingery	Kratky	LeVota
Lipke	Lowe 44	May	Meadows	Meiners
Moore	Nolte	Oxford	Page	Parker
Pearce	Pratt	Roorda	Rupp	Schaaf
Schlottach	Schneider	Schoemehl	Selby	Silvey

Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Swinger	Threlkeld	Walsh	Walton
Weter	Wildberger	Yaeger	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 002

Boykins	Kelly
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VACANCIES: 001

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wagner	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 061

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

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PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 002

Boykins Schaaf

VACANCIES: 001

On motion of Representative St. Onge, **HCS SCS SBs 221, 250 & 256, as amended**, was adopted.

On motion of Representative St. Onge, **HCS SCS SBs 221, 250 & 256, as amended**, was read the third time and passed by the following vote:

AYES: 121

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Black	Bland	Bowman	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	Guest	Harris 110	Haywood
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Iceť	Jackson	Johnson 47	Johnson 90	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	Liese	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Ruestman	Rupp
Salva	Sander	Sater	Schad	Schlottach
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Wasson	Wells	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yates	Young
Mr Speaker				

NOES: 032

Baker 25	Bivins	Brooks	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	El-Amin	Fares
Fraser	Goodman	Harris 23	Henke	Jolly
LeVota	Lipke	Low 39	Meiners	Oxford
Page	Schaaf	Schneider	Schoemehl	Smith 118
Spreng	Storch	Vogt	Walton	Weter
Yaeger	Zweifel			

PRESENT: 008

Cunningham 86	George	Johnson 61	Lowe 44	Meadows
Roorda	Rucker	Walsh		

ABSENT WITH LEAVE: 001

Boykins

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Olivia Harrison.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3130	-	Representative Bearden
House Resolution No. 3131		
and		
House Resolution No. 3132	-	Representative May
House Resolution No. 3133	-	Representative Moore, et al.
House Resolution No. 3134	-	Representative Yaeger, et al.
House Resolution No. 3135	-	Representative Smith (14)
House Resolution No. 3136		
and		
House Resolution No. 3137	-	Representative Cooper (155)
House Resolution No. 3138	-	Representative Jetton
House Resolution No. 3139	-	Representative Pearce
House Resolution No. 3140	-	Representative Harris (110)
House Resolution No. 3141		
through		
House Resolution No. 3144	-	Representative Storch
House Resolution No. 3145		
through		
House Resolution No. 3148	-	Representative Jetton
House Resolution No. 3149	-	Representative Jolly, et al.
House Resolution No. 3150	-	Representative Lager

THIRD READING OF SENATE BILLS

HCS SS SCS SB 287, relating to education funding, was taken up by Representative Baker (123).

HCS SS SCS SB 287 was laid over.

HCS SS SCS SBs 74 & 49, relating to the Department of Health and Senior Services, was taken up by Representative Cooper (155).

Representative Cooper (155) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 74 & 49, Section B, Page 11, Lines 7 and 8, by striking the phrase "July 1, 2005" on said line and inserting in lieu thereof the phrase "June 29, 2005"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (155), **House Amendment No. 1** was adopted.

Representative Cooper (155) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 74 & 49, Section 193.145, Page 11, Line 56, by inserting after all of said line the following:

"195.060. 1. Except as provided in subsection 3 of this section, a pharmacist, in good faith, may sell and dispense controlled substances to any person only upon a prescription of a practitioner as authorized by statute, provided that the controlled substances listed in Schedule V may be sold without prescription in accordance with regulations of the department of health and senior services. All written prescriptions shall be signed by the person prescribing the same. All prescriptions shall be dated on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is prescribed, and the full name, address, and the registry number under the federal controlled substances laws of the person prescribing, if he is required by those laws to be so registered. If the prescription is for an animal, it shall state the species of the animal for which the drug is prescribed. The person filling the prescription shall **either** write the date of filling and his own signature on the prescription **or retain the date of filling and the identity of the dispenser as electronic prescription information**. The prescription **or electronic prescription information** shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this law. No prescription for a drug in Schedule I or II shall be filled more than six months after the date prescribed; no prescription for a drug in schedule I or II shall be refilled; no prescription for a drug in Schedule III or IV shall be filled or refilled more than six months after the date of the original prescription or be refilled more than five times unless renewed by the practitioner.

2. The legal owner of any stock of controlled substances in a pharmacy, upon discontinuance of dealing in such drugs, may sell the stock to a manufacturer, wholesaler, or pharmacist, but only on an official written order.

3. A pharmacist, in good faith, may sell and dispense, any Schedule II drug or drugs to any person, in emergency situations as defined by rule of the department of health and senior services upon an oral prescription by an authorized practitioner.

4. It shall be unlawful for controlled substances to be promoted or advertised for use or sale, provided that this subsection shall not prohibit such activity by a manufacturer, wholesaler, or their agents directed to a physician, pharmacist or other practitioner.

5. Except where a bona fide physician-patient-pharmacist relationship exists, prescriptions for narcotics or hallucinogenic drugs shall not be delivered to or for an ultimate user or agent by mail or other common carrier.

195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided, sections 195.005 to 195.425 shall not apply to the following cases: Prescribing, administering, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain controlled substances in such combinations of drugs as to prevent the drugs from being readily extracted from such liniments, ointments, or preparations, except that sections 195.005 to 195.425 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

2. The quantity of Schedule II controlled substances prescribed or dispensed at any one time shall be limited to a thirty-day supply. The quantity of Schedule III, IV or V controlled substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the general provisions of sections 195.005 to 195.425. The supply limitations provided in this subsection may be increased up to three months if the physician describes on the prescription form **or indicates via telephone, fax, or electronic communication to the pharmacy to be entered on or attached to the prescription form** the medical reason for requiring the larger supply.

3. The partial filling of a prescription for a Schedule II substance is permissible as defined by regulation by the department of health and senior services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

On motion of Representative Cooper (155), **House Amendment No. 2** was adopted.

Representative Portwood offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 74 & 49, Section 192.326, Page 3, Line 11, by inserting immediately after said line the following:

"192.375. 1. There is hereby established within the department of health and senior services the "Missouri Senior Advocacy and Efficiency Commission". The commission shall consist of the following fifteen members, or their designees, who are residents of this state:

- (1) The director of the department of health and senior services;**
- (2) Two members of the Missouri senate, appointed by the president pro tem of the senate;**
- (3) Two members of the Missouri house of representatives, appointed by the speaker of the house;**
- (4) A pharmacist licensed in the state of Missouri, recommended by the Missouri board of pharmacy and appointed by the governor;**
- (5) A representative of the Pharmaceutical Research and Manufacturers of America, appointed by the governor;**
- (6) One members of the Missouri silver-haired legislature, appointed by the governor;**
- (7) One members of the Missouri senior Rx commission, appointed by the governor;**
- (8) One representative from the assisted living community who currently serve on the personal independence commission, appointed by the governor;**
- (9) One representative of the Missouri Area Agency on Aging, appointed by the governor;**
- (10) One member of the special health, psychological, and social needs of minority older individuals commission;**
- (11) One member of the governor's advisory council on aging, appointed by the governor;**
- (12) The lieutenant governor, who shall serve as chair of the commission; and**
- (13) One member from the Missouri council for in-home services, appointed by the governor.**

In making the initial appointment to the committee, the governor, president pro tem, and speaker shall stagger the terms of the appointees so that five members serve an initial terms of one year, five members serve initial

terms of two years and five members serve initial terms of three years. All members appointed thereafter shall serve three year terms. All members shall be eligible for reappointment.

Members of the commission shall be appointed by October 1, 2005. Members shall continue to serve until their successor is appointed and qualified. Any vacancy on the commission shall be filled in the same manner as the original appointment. The commission shall be dissolved on December 31, 2008.

2. Service on the commission shall be voluntary. Subject to appropriations, members of the commission shall receive with reasonable reimbursement for expenses actually incurred in the performance of the member's official duties for members who are not employees of the state of Missouri.

3. Subject to appropriations, the department of health and senior services shall provide administrative support and resources as is necessary for the effective operation of the commission.

4. Meetings shall be held at least every ninety days or at the call of the commission chair.

5. The senior advocacy and efficiency commission shall:

(1) Hold public hearings in accordance with chapter 536, RSMo, to gather information from any state agency, commission, or public entity on issues pertaining to the quality and efficiency of all senior services offered by the state of Missouri;

(2) Analyze state statutes, commissions, and administrative rules regarding services offered by the state of Missouri for senior citizens and designate which programs provide effective and efficient support to seniors and the programs that lack quality;

(3) Establish a mechanism to educate the staff of the member's of the Missouri general assembly to assist seniors, including but not limited to assisting seniors in applying for any and all prescription drug assistance offered under the federal Medicare Prescription Drug Modernization Act of 2003;

(4) Develop a plan that delays the need for the provisions of long-term care outside the residence of senior citizens and allows seniors to remain at home for as long as possible;

(5) Maintain a web site with detailed information regarding all programs and services offered by the state of Missouri which are available to seniors;

(6) Maintain a toll-free senior advocacy support telephone number which directs seniors to all services offered by the state of Missouri which are available to seniors;

(7) Submit an annual report on the activities of the commission to the director of the department of health and senior services, the members of the Missouri general assembly, and the governor by February 1, 2007, and every February first thereafter. Such report shall include, but not be limited to, the following:

(a) Efficiencies that can be realized by consolidation of senior services offered by Missouri;

(b) Effectiveness of all senior services, programs, and commissions offered by the state of Missouri;

(c) Information regarding the impact and effectiveness of prior recommendations, if any, that have been implemented; and

(d) Measurable data to identify the cost effectiveness of the services, programs, and commissions evaluated.

6. Unless reauthorized, the provisions of this section shall sunset on December 31, 2008.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 3** was adopted by the following vote:

AYES: 112

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 158	Corcoran
Curls	Day	Deeken	Dempsey	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Faith
Fares	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Icet	Johnson 61	Johnson 90	Jolly
Jones	Kingery	Kratky	Kraus	Kuessner

Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Portwood	Pratt
Quinn	Rector	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Salva	Sater
Schad	Schoemehl	Selby	Self	Silvey
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Wagner
Wallace	Walsh	Walton	Wasson	Wilson 130
Witte	Wright 137	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 042

Behnen	Chinn	Cooper 120	Cooper 155	Cunningham 145
Cunningham 86	Daus	Davis	Denison	Dethrow
Emery	Ervin	Fisher	Flook	Franz
Fraser	Hobbs	Hunter	Jackson	Johnson 47
Kelly	Marsh	Munzlinger	Pearce	Phillips
Pollock	Roark	Rupp	Sander	Schaaf
Schlottach	Shoemyer	Skaggs	Smith 14	Smith 118
Villa	Wells	Weter	Whorton	Wilson 119
Wood	Wright 159			

PRESENT: 002

Brooks Wright-Jones

ABSENT WITH LEAVE: 006

Boykins	Darrough	Schneider	Viebrock	Vogt
Wildberger				

VACANCIES: 001

Representative Stefanick offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 74 & 49, Section 701.049, Page 11, Line 11, by inserting after all of said line the following:

“Section 1. 1. As used in this section, the term “department” shall mean the Department of Health and Senior Services.

2. Subject to appropriations, the department may provide financial assistance for consumer-directed personal care assistance services through eligible vendors, as provided in sections 660.661 through 660.687, RSMo, to each person who was participating as a non-Medicaid eligible client pursuant to Sections 178.661 through 178.673, RSMo on June 30, 2005 and who:

- (1) Makes application to the department;**
- (2) Demonstrates financial need and eligibility under subsection 3 of this section;**
- (3) Meets all the criteria set forth in sections 660.661 through 660.687, RSMo, except for section 660.664.1(5);**
- (4) Has been found by the Department of Social Services not to be eligible to participate under guidelines established by the Medicaid state plan; and**

(5) Does not have access to affordable employer-sponsored health care insurance or other affordable health care coverage for personal care assistance services as defined in section 660.661, RSMo. For purposes of this section, "access to affordable employer-sponsored health care insurance or other affordable health care coverage" refers to health insurance requiring a monthly premium less than or equal to one hundred thirty-three percent of the monthly average premium required in the state's current Missouri consolidated health care plan.

Payments made by the department under the provisions of this section shall be made only after all other available sources of payment have been exhausted.

3. (1) In order to be eligible for financial assistance for consumer-directed personal care assistance services under this section, a person shall demonstrate financial need, which shall be based on the adjusted gross income and the assets of the person seeking financial assistance and such person's spouse.

(2) In order to demonstrate financial need, a person seeking financial assistance under this section and such person's spouse must have an adjusted gross income, less disability-related medical expenses, as approved by the department, that is equal to or less than three hundred percent of the federal poverty level. The adjusted gross income shall be based on the most recent income tax return.

(3) No person seeking financial assistance for personal care services under this section and such person's spouse shall have assets in excess of two-hundred fifty thousand dollars.

4. The department shall require applicants and the applicant's spouse, and consumers and the consumer's spouse to provide documentation for income, assets, and disability-related medical expenses for the purpose of determining financial need and eligibility for the program. In addition to the most recent income tax return, such documentation may include, but shall not be limited to:

- (a) Current wage stubs for the applicant or consumer and the applicant's or consumer's spouse;
- (b) A current W-2 form for the applicant or consumer and the applicant's or consumer's spouse;
- (c) Statements from the applicant's or consumer's and the applicant's or consumer's spouse's employers;
- (d) Wage matches with the division of employment security;
- (e) Bank statements; and
- (f) Evidence of disability-related medical expenses and proof of payment.

5. A personal care assistance services plan shall be developed by the department pursuant to section 660.667, RSMo for each person who is determined to be eligible and in financial need under the provisions of this section. The plan developed by the department shall include the maximum amount of financial assistance allowed by the department, subject to appropriation, for such services.

6. Each consumer who participates in the program is responsible for a monthly premium equal to the average premium required for the Missouri consolidated health care plan; provided that the total premium described in this section shall not exceed five percent of the consumer's and the consumer's spouse's income for the year involved.

7. (1) Nonpayment of the premium required in subsection 6 shall result in the denial or termination of assistance, unless the person demonstrates good cause for such nonpayment.

(2) No person denied services for nonpayment of a premium shall receive services unless such person shows good cause for non payment and makes payments for past due premiums as well as current premiums.

(3) Any person who is denied services for nonpayment of a premium and who does not make any payments for past due premiums for sixty consecutive days shall have their enrollment in the program terminated.

(4) No person whose enrollment in the program is terminated for nonpayment of a premium when such nonpayment exceeds sixty consecutive days shall be re-enrolled unless such person pays any past due premiums as well as current premiums prior to being re-enrolled. Nonpayment shall include payment with a returned, refused, or dishonored instrument.

8. (1) Consumers determined eligible for personal care assistance services under the provisions of this section shall be reevaluated annually to verify their continued eligibility and financial need. The amount of financial assistance for consumer-directed personal care assistance services received by the consumer shall be adjusted or eliminated based on the outcome of the reevaluation. Any adjustments made shall be recorded in the consumer's personal care assistance services plan.

(2) In performing the annual reevaluation of financial need, the department shall annually send a re-verification eligibility form letter to the consumer requiring the consumer to respond within ten days of receiving the letter and to provide income and disability-related medical expense verification documentation. If the department does not receive the consumer's response and documentation within the ten-day period, the

department shall send a letter notifying the consumer that he or she has ten days to file an appeal or the case will be closed.

(3) The department shall require the consumer and the consumer's spouse to provide documentation for income and disability-related medical expense verification for purposes of the eligibility review. Such documentation may include, but shall not be limited to the documentation listed in subsection 4 of this section.

9. (1) Applicants for personal care assistance services and consumers receiving such services pursuant to this section are entitled to a hearing with the department of social services if eligibility for personal care assistance services is denied, if the type or amount of services is set at a level less than the consumer believes is necessary, if disputes arise after preparation of the personal care assistance plan concerning the provision of such services, or if services are discontinued as provided in section 660.684, RSMo. Services provided under the provisions of this section shall continue during the appeal process.

(2) A request for such hearing shall be made to the department of social services in writing in the form prescribed by the department of social services within ninety days after the mailing or delivery of the written decision of the department of health and senior services. The procedures for such requests and for the hearings shall be as set forth in section 208.080, RSMo.

10. Unless otherwise provided in this section, all other provisions of sections 660.661 through 660.687, RSMo shall apply to individuals who are eligible for financial assistance for personal care assistance services under this section.

11. The department may promulgate rules and regulations, including emergency rules, to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. Any provisions of the existing rules regarding the personal care assistance program promulgated by the department of elementary and secondary education in title 5, code of state regulation, division 90, chapter 7, which are inconsistent with the provisions of this section are void and of no force and effect.

12. The provisions of this section shall expire on June 30, 2006.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Stevenson offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 74 & 49, Section 1, Page 3, Line 7, by inserting before the word “**income**” on said line the following:

“**adjusted gross**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Stefanick, **House Amendment No. 4, as amended**, was adopted.

Representative Jolly offered **House Amendment No. 5.**

Representative Stevenson raised a point of order that **House Amendment No. 5** goes beyond the scope of the underlying bill.

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The Chair ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 059

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Wagner	Walsh	Walton	Whorton	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 007

Boykins	Johnson 47	Pollock	Schneider	Schoemehl
Vogt	Wildberger			

VACANCIES: 001

On motion of Representative Cooper (155), **HCS SS SCS SBs 74 & 49, as amended**, was adopted.

On motion of Representative Cooper (155), **HCS SS SCS SBs 74 & 49, as amended**, was read the third time and passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 001

Harris 23

PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins	Johnson 47	Schneider	Vogt
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VACANCIES: 001

The emergency clause was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Iceet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins	George	Pollock	Vogt
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VACANCIES: 001

HCS SB 187, relating to concentrated animal feeding operations, was taken up by Representative Guest.

Speaker Pro Tem Bearden resumed the Chair.

Representative Myers offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 187, Page 4, Section 640.710, Lines 76 and 77, by deleting all of said lines and inserting in lieu thereof the following:

“6. The provisions of subsection 2 of this section shall not apply to any county of the third classification with a township form of government and”; and

Further amend said section and page, Lines 94 and 95, by deleting all of said lines and inserting in lieu thereof the following:

“seventy-three thousand eight hundred inhabitants.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Chinn offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 187, Page 4, Section 640.710, Lines 76 and 77, by deleting all of said lines and inserting in lieu thereof the following:

“6. The provisions of subsection 2 of this section shall not apply to any county of the third classification with a township form of government and”; and

Further amend said section and page, Lines 94 and 95, by deleting all of said lines and inserting in lieu thereof the following:

“seventy-three thousand eight hundred inhabitants.”; and

Further amend said page and section, Line 95, by inserting after all of said line the following:

"7. Any county or political subdivision located within any county subject to the provisions of subsection 6 of this section shall be subject to the provisions of subsection 2 of this section for any additional or more restrictive regulatory or local controls.

8. In any county of the third classification with a township form of government and with more than thirteen thousand seven hundred but fewer than thirteen thousand eight hundred inhabitants, any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants, any county of the third classification without a township form of government and with more than four thousand nine hundred but fewer than five thousand inhabitants, any county of the second classification with more than thirty-nine thousand four hundred but fewer than thirty-nine thousand five hundred inhabitants, any county of the third classification with a township form of government and with more than twenty-one thousand nine hundred fifty but fewer than twenty-two thousand nine hundred fifty inhabitants, any county of the third classification with a township form of government and with more than eight thousand nine hundred but fewer than nine thousand inhabitants, any county of the first classification with more than thirty-seven thousand but fewer than thirty-seven thousand one hundred inhabitants, any county of the third classification with a township form of government and with more than eight thousand eight hundred but fewer than eight thousand nine hundred inhabitants, or any county of the first classification with more than seventy-three thousand seven hundred but fewer than seventy-three thousand eight hundred inhabitants, all class IB, class IC, and class II concentrated animal feeding operations located in such counties and in existence prior to any such county's enactment of regulatory or local controls for concentrated animal feeding operations which are more restrictive than the state laws and regulations shall be exempt from

such a county's more restrictive regulatory or local controls for concentrated animal feeding operations, but shall be subject to all state laws and regulations for concentrated animal feed operations, including but not limited to the provisions of sections 640.703 to 640.758."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Whorton offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for Senate Bill No. 187, Page 2, Section 640.710, Lines 14-24, by deleting said lines and inserting in lieu thereof the following:

“construction, operation, and management of any animal feeding operation shall consider recommendations from the respective soil and water conservation board. Such recommendations shall be based on peer-reviewed scientific and economic data that clearly documents the geological, environmental, and economic impact of the more restrictive controls. The recommendations must be received from the respective soil and water conservation district board within one hundred eighty days.”; and

Further amend said section, Page 3, Lines 25-50, by deleting all of said lines; and

Further amend said section and page, Line 51, by deleting “(6)” and inserting in lieu thereof “(2)”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley

Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Villa	Vogt
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 002

Chappelle-Nadal	Dougherty
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ABSENT WITH LEAVE: 003

Boykins	Portwood	Salva
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VACANCIES: 001

Representative Whorton moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Aull	Baker 25	Baker 123	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Burnett
Byrd	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Marsh	Meadows
Meiners	Oxford	Page	Parker	Robinson
Roorda	Rucker	Salva	Schaaf	Schoemehl
Selby	Self	Shoemyer	Skaggs	Smith 14
Smith 118	Spreng	Storch	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Weter
Whorton	Wildberger	Witte	Wood	Wright 137
Wright-Jones	Yaeger	Young	Zweifel	

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NOES: 087

Avery	Bean	Bearden	Behnen	Bivins
Black	Bruns	Chinn	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schad	Schlottach
Schneider	Silvey	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wasson	Wells	Wilson 119	Wilson 130	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 001

Boykins

VACANCIES: 001

On motion of Representative Chinn, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld

Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 002

Boykins Wright 159

VACANCIES: 001

On motion of Representative Guest, **HCS SB 187, as amended**, was adopted.

Representative Guest moved that **HCS SB 187, as amended**, be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 077

Aull	Bean	Bearden	Behnen	Bivins
Black	Bringer	Bruns	Chinn	Cooper 120
Cooper 155	Cooper 158	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Fisher
Flook	Franz	Guest	Hobbs	Hunter
Jackson	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Myers	Nance
Nieves	Nolte	Parson	Pearce	Phillips
Pollock	Pratt	Quinn	Rector	Roark
Robb	Rupp	Sander	Sater	Schad
Schlottach	Schneider	Silvey	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wallace	Wells	Wilson 119	Witte	Wright 159
Yates	Mr Speaker			

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NOES: 084

Avery	Baker 25	Baker 123	Bland	Bowman
Brooks	Brown 30	Brown 50	Burnett	Byrd
Casey	Chappelle-Nadal	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Donnelly	Faith
Fares	Fraser	George	Goodman	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Ice	Johnson 47	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Marsh	Meadows
Meiners	Muschany	Oxford	Page	Parker
Portwood	Richard	Robinson	Roorda	Rucker
Ruestman	Salva	Schaaf	Schoemehl	Selby
Self	Shoemyer	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Storch	Villa	Vogt
Wagner	Walsh	Walton	Wasson	Weter
Whorton	Wildberger	Wilson 130	Wood	Wright 137
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 001

Boykins

VACANCIES: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **SS SCS HCS HB 58, as amended**, are allowed to exceed the differences on the water shut-off provision and the watershed provision.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 177**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 209**, entitled:

An act to amend chapters 71 and 92, RSMo, by adding thereto nine new sections relating to assessment and collection of various taxes on telecommunications companies.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 209, Page 7, Section 92.086, Line 28 of said page, by inserting immediately after the word "all" the following:

"wireless".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 209, Page 10, Section 92.086, Line 1 of said page, by inserting after "half" the following: "**the sum**"; and

Further amend said line by striking "difference between the".

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 209, Page 1, In the Title, Line 4, by inserting after "companies" the following:

", with an effective date for certain sections"; and

Further amend said bill, Page 14, Section 92.098, Line 22, by inserting after all of said line the following:

"227.241. Sections 227.241 to 227.249 shall be known as the "State Highway Utility Relocation Act". The commission shall not be required to redesign any project plans or mail additional notices, nor shall the owner of a utility facility be required to submit additional relocation plans or otherwise comply with requirements of sections 227.241 to 227.249 for any construction project on a state highway for which the letting date was prior to December 31, 2005.

227.242. As used in sections 227.241 to 227.249, the following terms shall mean:

(1) **"Act of God", an unanticipated grave natural disaster or other natural phenomenon of an exceptional, inevitable, and irresistible character, the effects of which could not have been prevented or avoided by the exercise of due care or foresight;**

(2) **"Commission," the highways and transportation commission created under section 226.020, RSMo, and article IV, section 29 of the Missouri Constitution, the director, or designees of the director for the purpose of sections 227.240 to 227.248;**

(3) **"Construction project", all contracts for construction of state highways let under section 227.100, except for contracts for maintenance or resurfacing determined by the commission not to conflict with public utilities and routine maintenance and repairs completed by employees of the commission. This term shall also include state highway construction projects of transportation development districts and corporations under chapter 238, RSMo, if such projects are awarded pursuant to section 227.100. The term "construction project" shall not include projects for road beautification, road irrigation, and drainage projects, culvert installation or repair, sound wall installation, decorative lighting, landscaping, or other projects not directly related to improving or routing highway traffic. The term "construction project" shall also not include any project authorized by the commission to accommodate any private development, including a shopping mall, stadium, office building, or arena;**

(4) **"Contractor", any person entering into a contract with the highway and transportation commission for purposes of completing a construction project on a state highway, including a subcontractor or supplier to such contractor;**

(5) **"Customer delays", delays in the relocation work due to delays caused by the utility's customers, including but not limited to delays in getting written or oral approvals from customers for permissible utility service cut-over dates;**

(6) **"Cut-over date", the date utility owner interrupts utility service to a utility customer provided through an existing utility facility and switches the service over to a new utility facility serving the customer;**

(7) **"Day" or "days", a business day or a period of consecutive business days consisting of every work day excluding Saturdays, Sundays, and legal holidays;**

(8) **"Director", the director of the Missouri department of transportation appointed pursuant to section 226.040;**

(9) **"Extreme weather event", a severe weather occurrence, including but not limited to fire, flood, earthquake, tornado, wind, hurricane, storm, ice, abnormal rainfall, blizzard, or extended periods of severe inclement weather;**

(10) **"Letting date", the date established by the commission for the acceptance of bids by contractors under section 227.100;**

- (11) "Mail", a dated written transmittal sent to the addressee by regular or certified mail;
- (12) "Maintenance", routine work performed on state highways by employees of the commission or contractors to the commission, including minor pavement and shoulder repairs, striping, grading, irrigation ditch clearing, street overlays, and other work determined by the commission not to conflict with public utilities;
- (13) "Notice to proceed", notice by the commission to a contractor to proceed with work on a contract awarded by the commission;
- (14) "Owner", the individual, firm, joint venture, partnership, corporation, association, cooperative, municipality, county, district, political subdivision, department, agency, or any other institution owning or operating utility facilities;
- (15) "Project plans", any plan for highway construction projects demonstrating the need to design and conduct utility facility alterations or relocations due to the work;
- (16) "Relocate" or "relocation", the adjustment of utility facilities, as the commission or director may determine is necessary in connection with the construction of a state highway. Relocation includes:
 - (a) Removing and reinstalling the utility facility, including necessary temporary facilities;
 - (b) Moving, rearranging, or changing the type of existing utility facilities; and
 - (c) Taking any necessary safety and protective measures;
- (17) "Relocation plan," a plan designed by the owner to carry out utility facility relocation work to accommodate a construction project on a state highway;
- (18) "Resurfacing", work which provides a new roadway surface for existing pavement on a state highway, including minor base patching, intersection paving, shoulder work, and guard rail work which is determined by the commission not to conflict with public utilities;
- (19) "State highway", a highway constructed or maintained at the cost of the state or constructed with the aid of state funds or United States government funds or any highway included by authority of law in the state highway system or any highway constructed under the authority of a transportation development district or corporation under chapter 238, RSMo, where such contract is awarded under section 227.100;
- (20) "Utility contractor", a person contracting with an owner of a utility facility or a subcontractor to a person contracting with an owner of a utility facility, for the alteration relocation or installation of a utility facility in connection with a construction project on a state highway;
- (21) "Utility facility", any underground facility as defined in section 319.015, RSMo, and aboveground facilities, including poles, lines, wires, and appurtenances for the purposes of electrical power, telephone, telegraph, fiber optic and cable television services, and any other purpose or which aboveground utility facilities may be located along state highways;
- (22) "Work", construction and services required of the contractor by the contractor's contract with the commission, including excavation as that term is defined in section 319.015, RSMo.

227.243. 1. At the earliest possible date in the design of a construction project on a state highway, the commission shall attempt to determine what utility facilities are located within the right-of-way of the planned construction project by researching permit files and reviewing map files maintained by the commission. The commission shall also, as necessary, conduct field investigations and contact local governments to identify any utility facilities within the right-of-way.

2. Within thirty days of completion of the survey conducted under subsection 1 of this section, the commission shall notify in writing owners of each known utility facility that a construction project is planned that may conflict with their utility facility. The notification shall include the name or route number of the highway, the geographical limits of the planned construction project, a general description of the work to be done including a preliminary plan, the desired date for completion of a relocation plan, and the anticipated month and year a letting date could be set for the construction project.

3. The owner shall examine the notice and notify the commission in writing of any utility facility not correctly described in the commission's notice. Within sixty days of receiving the notice required in subsection 2 of this section, the owner shall provide a written response to the commission. The response shall describe and provide the general location of each utility facility of the owner by confirming the location shown in the commission's notice or by providing additions or corrections.

227.244. 1. Upon completion of the initial design of the construction project, the commission shall provide at least one set of project plans to each owner of a utility facility identified under section 227.243.

2. The project plans shall show those portions of the construction project upon which the owner's utility facilities are located and where the utility facilities of other owners are located in relation to work required for

the project. The commission shall also provide with the project plans a description of any right-of-way still to be purchased and the anticipated letting date of the project. The project plan shall be accompanied by a complete set of plans including profile, cross-section, drainage, signal, lighting, signing plans, temporary road plans that may affect utilities, and other pertinent plan sheets. Upon request of the owner, the commission shall provide any additional plan information needed by the owner to design and lay out the removal, relocation, or adjustment of existing facilities and the placement of relocated or new utility facilities within the limits of the construction project.

3. Within thirty days of receipt of the project plans, the utility owner shall develop a preliminary plan of adjustment and return the marked-up project plans to the commission. The plan of adjustment shall include:

- (1) Verification that all utility facilities are shown;
- (2) The proposed location of adjusted utility facilities;
- (3) Any additional right-of-way requirements; and
- (4) Any other concerns.

4. When two or more owners have facilities in the area encompassed by the construction project, the commission shall schedule a utility coordination meeting as soon as possible but no longer than thirty days from the date the project plans were mailed. The commission's project manager and all owners are required to attend this meeting. If there is a conflict between two owners which cannot be satisfactorily resolved by the owners, the commission shall determine the most appropriate method to resolve the conflict between the two owners, and, in making such determination, shall weigh equally the length of time necessitated by each owner's proposal, and the relative cost to each owner if the other's proposal is adopted. The commission shall notify all utility owners involved with the project in writing of the commission's acceptance or revisions to the utility plan of adjustment.

227.245. 1. Within one hundred twenty days of receiving written notice of approval of the utility plan of adjustment from the commission, the owner shall provide the commission with a relocation plan. The one hundred twenty-day clock stops after the relocation plan is submitted by the owner. If, after timely submission of the relocation plan by the owner, revisions or alterations are necessary for any reason, or if the original relocation plan was incomplete due to information needed from other parties, the one hundred twenty-day clock begins to run again when the needed information is received back by the owner.

2. The relocation plan shall include a narrative description of work that will be done in relocating the owner's utility facilities and whether the work or a portion of the work must be coordinated with or is contingent upon work being performed by another utility facility owner or the contractor to the commission. The relocation plan shall list, if applicable, any anticipated issues or problems related to the acquisition of right-of-way. The relocation plan shall, if applicable, detail the anticipated number of days to acquire additional easements not provided within the new highway right-of-way. The relocation plan shall also give estimates as to the time needed to obtain any necessary customer approvals for cut-over dates, if necessary. The relocation plan shall state when the work will be started and the length of time in days estimated to complete the work. It is permissible for an owner to state in a relocation plan that the owner's work will be completed within a stated number of days from the date that a contractor or another owner completes certain identified work which interferes with the owner's work. The relocation plan shall identify any contingencies, if applicable, that may impact the anticipated start of relocation. The relocation plan shall also describe whether the plan is incomplete due to:

- (1) Other owners failing to coordinate their plans with the owner submitting the plan;
- (2) Other owners failing to provide information necessary to submit a complete relocation plan;
- (3) The commission failing to provide any information required by subsection 2 of section 227.244; or
- (4) Any other reason explained in the plan regarding the circumstances and cause of the plan being incomplete.

3. The commission shall review the relocation plan to ensure compatibility with permit requirements, the project plan, and the anticipated letting date and notice to proceed for the project. If utility relocation is dependent upon or must be coordinated with work to be completed by the contractor, the relocation plan shall assure timely completion of the project. If the relocation plan is acceptable to the commission, the commission shall notify the owner in writing within thirty days of receiving the plan. If the relocation plan submitted by the owner is not compatible, reasonable, or does not allow timely completion of the project, the commission shall advise the owner in writing as soon as practicable, but not later than thirty days after receiving the relocation plan. The commission shall specify in the notice which parts of the relocation plan it finds objectionable, and the reasons for its conclusions. The owner shall submit a revised relocation plan within thirty calendar days after receipt of notice by the commission that the relocation plan is not acceptable. The commission shall review the revised relocation plan, and if the relocation plan is still not acceptable, the commission shall provide a relocation

plan to the owner. The owner shall not be bound by the terms of the commission's relocation plan if such relocation plan:

- (1) Requires the payment of overtime to employees to expedite the construction project; or
- (2) Requires the owner to comply with a deadline which is not feasible due, in whole or in part, to one or more factors outside the control of the owner.

4. If the owner informs the commission, in writing, or the commission determines that the owner's relocation work is dependent upon or must be coordinated with work being performed by the commission's contractor, the commission shall convene a meeting of the contractor and the one or more owners whose relocation work is dependent upon or must be coordinated with the contractor's work. Such meeting shall be held after the letting date at which bids were received for the construction project, but prior to the issuance of a notice to proceed to the commission's contractor. After such meeting, and before or concurrent with the issuance of a notice to proceed, the commission shall provide a schedule for the relocation of utilities to the owner and the commission's contractor. If the approved relocation plan, or a portion of such plan, is dependent upon or must be coordinated with work to be performed by the contractor, the contractor shall notify the commission of its best estimate of the date that all construction necessary for the relocation of utilities will be completed, at least fourteen days prior to such date. If such completion date is delayed due to weather or other causes, the contractor shall immediately notify the commission of the delay and the revised expected completion date. The contractor shall give a second notice to the commission five days prior to the date work will be completed as necessary for relocation work to begin. It shall be the responsibility of the commission to notify the owner or owners of the contractor's estimated completion dates. The contractor may also notify the owner directly of such dates, if the contractor has received information from the owner under subsection 7 of this section, but such notice shall not relieve the commission of its obligation to notify the owner. If the contractor's delay causes additional delay by the owner, the commission and the owner shall negotiate in good faith to determine the new completion date.

5. (1) The commission shall notify the owner in writing not less than thirty days before the owner is required to begin relocation provided for in the approved relocation plan. Unless the owner has encountered excusable delay as set forth in subsection 4 of section 227.248, the owner shall complete its work within the time frame described in the relocation plan, and shall complete all work that can be done prior to construction before the issuance of the notice to proceed, including work that may need to be coordinated with other utility owners but is not dependent on the work of the contractor.

(2) The notice required by subdivision (1) of this subsection shall include the name, address, telephone number, facsimile number, and electronic mail address of the commission's contractor and any subcontractors performing work on the construction project. Such information shall also include the name and title of an individual employed by the contractor or subcontractor having primary responsibility for the construction project. Within fifteen days of receiving notice, the owner shall provide to the commission and the commission's contractor the name, address, telephone number, facsimile number, and electronic mail address of the employee of the owner who is responsible for implementation of the owner's relocation plan and the same information for any utility contractor to the owner for purposes of carrying out the relocation plan.

6. The owner shall notify the commission when relocation work has started. During the course of the relocation work, the commission may require owners to provide progress reports until its relocation is completed. The owner shall notify the commission when all relocation work is complete. All notices of either starting or completion of relocation work and all monthly progress reports shall be provided within five days after such dates.

227.246. 1. If, prior to the letting date of the construction project, the commission's project plan is changed so that additional or different utility relocation work is found necessary, the commission shall furnish a revised project plan under section 227.244, and the owner shall provide the commission with a revised relocation plan under section 227.245, except that the time allowed for the owner to submit the revised relocation plan after receipt of the revised project plan shall not exceed sixty days.

2. If, after the letting date of the highway construction project, additional utility relocation work is found necessary which was not indicated on the original project plan, the commission shall provide the owner with a revised project plan within fifteen days and the commission and the owner shall agree on a reasonable schedule for completion of the additional utility location.

227.247. 1. The commission shall have authority to require that any required notice, response, or plan be submitted by mail or certified mail. Otherwise notices, plans, and other statements in writing may be provided by mail, facsimile, or electronic mail. The commission may require that some form of proof of receipt be provided

in regard to any notice, plan, or other statement in writing. Upon mutual agreement between the commission and an owner, additional time may be granted for the completion of any act required by sections 227.241 to 227.249.

2. Nothing in sections 227.241 to 227.249 shall be construed to relieve a contractor from making notice of excavation as required by sections 319.010 to 319.050, RSMo, of the underground facility safety and damage prevention act, or complying with the requirements of sections 319.075 to 319.090, RSMo, of the overhead powerline safety act, except to the extent that any provisions of sections 227.241 to 227.249 require additional obligations beyond those set forth in sections 319.011 to 319.050, RSMo, or sections 319.075 to 319.090, RSMo, in which case the requirements of sections 227.241 to 227.249 shall prevail.

227.248. 1. If the owner of a utility facility fails to provide the responses or corrections to project plans required by sections 227.243 to 227.246, the commission may recover from the owner damages in the amount of up to one hundred dollars per day for each day the required act is not completed.

2. If the owner fails to provide a relocation plan or fails to timely relocate utility facilities in accordance with the relocation plan as required by section 227.245, the commission may recover from the owner damages in the amount of up to one thousand dollars per day for each day the required act is not completed.

3. The damages authorized by subsections 1 and 2 of this section may be recovered through actions brought by the chief counsel to the commission, or may be referred to the attorney general for appropriate action. An action to collect the damages authorized by this section shall be brought in a court of appropriate jurisdiction. All damages collected under this section shall be deposited in the state road fund.

4. No damages or fines of any kind shall be assessed for delays that result, in whole or in part, directly or indirectly, from any of the following:

- (1) Customer delays;
- (2) Labor strikes or shortages;
- (3) Terrorist attacks, riots, civil unrest, or criminal sabotage;
- (4) Acts of God, or extreme weather events;
- (5) Delays caused by staffing shortages in the geographic area near the commission's construction project due to the owner's need to reassign an unusual number of workers to any other area to respond to an act of God or extreme weather event;
- (6) The failure of another owner to sufficiently complete its required relocation of utility facilities that interfere with an owner's relocation plan;
- (7) The failure of another owner or delay by another owner in submitting relocation plans that interfere with an owner's relocation plan;
- (8) Delays by the commission in acquiring necessary right-of-way or necessary easements;
- (9) Delays caused by facility damages or cable cuts caused by the commission's contractor, other owners, or third parties;
- (10) Unusual material shortages; and
- (11) Any other event or action beyond the reasonable control of the owner.

The occurrence of any of the unusual events listed in this section shall constitute an affirmative defense to the assessment of damages under the provisions of this section.

5. The removal and relocation of utility facilities shall be made at the expense of the owners unless otherwise provided by the commission. If the owner fails to relocate the utility facilities in accordance with the relocation plan as required by section 227.245, the utility facilities may be removed and relocated by the state highways and transportation commission, or under its direction, and the cost of relocating the utility facilities shall be collected from such owner. If the state highways and transportation commission or its designee removes and relocates the utility facilities, the utility owner shall not be liable to any party for any damages caused by the commission's or the commission's designee's removal and relocation of such facilities.

227.249. Any home rule city having a population of sixty thousand inhabitants or greater or any charter county of the first classification may adopt ordinances, policies, resolutions, or regulations consistent with sections 227.241 to 227.249 regarding the relocation of utility facilities located within the right-of-way of streets, highways, or roads under their respective jurisdiction, which are not state highways. Any ordinance, policy, resolution, or regulation adopted under the authority of this section shall not infringe upon, negate or otherwise abrogate an owner's right to construct, own, operate, and maintain utility facilities within the right-of-ways of such political subdivision that the owner otherwise enjoyed prior to the adoption of such ordinance, policy, resolution, or regulation.

Section B. The provisions of sections 227.241 to 227.249 shall become effective January 1, 2006."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 209, Page 8, Section 92.086, Line 2, by adding after the word "companies" the following:

"as identified in 47 U.S.C. Section 332 (D)(1) and 47 C.F.R. Parts 22 or 24"; and

Further amend such section, Line 13, by deleting the word "chapter" and replace in lieu thereof, the word "section"; and

Further amend such section, Line 13, by adding after the word "shall" on such line, the following:

"be determined based only on business customers and shall"; and

Further amend such section, Line 24, by deleting the words "recommend a one time" and replace in lieu thereof the following: "promulgate and publish an".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 334**, entitled:

An act to repeal sections 104.010, 104.335, 104.342, 104.344, 104.352, 104.354, 104.378, 104.395, 104.403, 104.404, 104.410, 104.450, 104.490, 104.601, 104.620, 104.800, 104.1003, 104.1012, 104.1015, 104.1021, 104.1024, 104.1027, 104.1030, 104.1042, 104.1072, 104.1205, 104.1215, and 476.682, RSMo, and to enact in lieu thereof thirty-one new sections relating to state employee retirement, with an emergency clause for certain sections.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 334, Page 1, In the Title, Line 9 of said page, by striking the words "employee retirement" and inserting in lieu thereof the following: "employees"; and

Further amend said bill, Page 94, Section 476.682, Line 23, by inserting after all of said line the following:

"Section 1. State workers employed pursuant to chapter 226, RSMo may be exempt from the provisions of section 105.935, RSMo."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SB 343, as amended**: Senators Bartle, Loudon, Shields, Days and Callahan.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 348**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 388**, entitled:

An act to amend chapters 374 and 375, RSMo, by adding thereto eight new sections relating to insurance compliance audits.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 388, Pages 2 to 6, Section 375.1063 to 375.1069, by striking all of said sections; and

Further amend said bill by amending the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Committee Substitute for House Bill No. 388, Page 2, Section 374.071, Line 11, by inserting after the word “under” the following: “**subsections 1 and 2 of**”; and

Further amend Line 12, by striking the word “proper”; and

Further amend Line 13, by inserting after the word “or” the following: “**under the authority of any**”; and

Further amend Line 21, by inserting immediately before the word “In” the following:

“**Notwithstanding any provision of subsections 1 and 2 of this section to the contrary,**”.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 518, 288, 418 & 635** entitled:

An act to repeal sections 210.104, 210.106, 210.107, 301.010, 302.510, 302.530, 304.015, 304.016, 304.155, 304.281, 304.351, 304.580, 307.178, 476.385, 577.023, 577.041, RSMo, section 302.302 as enacted by house substitute for senate substitute for senate committee substitute for senate bill nos. 1233, 840 & 1043, ninety-second general assembly, second regular session, and section 302.302 as enacted by conference committee substitute no. 2 for senate committee substitute for house committee substitute for house bill nos. 302 & 38, ninety-first general assembly, first regular session, and to enact in lieu thereof eighteen new sections relating to the operation of motor vehicles, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 518, 288, 418 & 635, Page 16, Section 301.010, Line 10, by inserting after all of said line the following:

“302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

- (1) Operate any vehicle upon any highway in this state unless the person has a valid license;
- (2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;
- (3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;
- (4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **who is under twenty-five years of age** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, RSMo, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a class C misdemeanor and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 518, 288, 418 & 635, Page 43, Section 304.281, Line 16 of said page, by inserting immediately after said line the following:

"304.282. 1. Wherever used in this section the following terms mean:

(1) **"An automated traffic control system"**, a device with one or more motor vehicle sensors working in conjunction with a traffic control signal to automatically produce two or more photographs, two or more micrographs, a videotape or other recorded images of a motor vehicle entering an intersection in violation of red signal indication authorized under section 304.281;

(2) **"Owner"**, the registered owner of a motor vehicle or lessee of a motor vehicle under a lease of six months or more as shown by the records of the department of revenue.

2. Any automated traffic control system or any device which is part of that system, as described in subsection 1 of this section, installed on a street or highway which is a part of a city not within a county's traffic light system shall meet requirements established by the state of Missouri. Any automated traffic control system installed on a street located in a city not within a county shall meet standards established by the city not within a county and shall be consistent with any standards set by the Missouri department of transportation.

3. A city not within a county may adopt ordinances for the civil enforcement of this section by means of an automated traffic control system as described in subsection 1 of this section. In the event that a city not within a county adopts an ordinance under this section, a violation of a red signal at a location where an automated traffic control system is in operation shall not be an infraction. An ordinance authorized by this subsection shall provide that:

(1) The owner of the vehicle shall be given notice of the violation within thirty days of the date of the violation. The notice shall include copies of any photographs, micrographs, videotape or other recorded images produced by the automated traffic control system;

(2) The owner of the vehicle shall be responsible for a violation unless the owner can furnish evidence that the vehicle was, at the time of the violation, in the care, custody, or control of another person. The owner of the vehicle shall not be responsible for the violation if the owner of the vehicle, within thirty days after notification of the violation, furnishes the officials or agents of the city not within a county that issued the citation either of the following:

(a) An affidavit stating that the vehicle involved was, at the time, in the care, custody, or control of another person. Evidence may include, but is not limited to, the name and address of the person or company who had the care, custody, and control of the vehicle;

(b) An affidavit stating the vehicle involved was, at the time, stolen. The affidavit must be supported with evidence that supports the affidavit, including insurance or police report information;

(3) In such an instance the owner, subject to the penalties for perjury, shall submit conclusive evidence in an affidavit authorized in subdivision (2) of this subsection setting forth the name, address, and other pertinent information of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation, the nonjudicial administrative hearing may terminate the prosecution of the citation issued to the owner, and issue a citation to the person clearly identified in the affidavit as the operator of the motor vehicle at the time of the violation;

(4) The registered owner of the vehicle shall not be responsible for the violation, if notice of the violation is given to the registered owner of the vehicle more than thirty days after the violation.

4. If a violation detected by an automatic traffic control system involves a vehicle that is registered in the name of a rental, leasing, or fleet company and the vehicle is rented, leased, or the use of such vehicle is otherwise granted to another person at the time the violation occurred, the rental, leasing, or fleet company may rebut the presumption by providing the city not within a county with a copy of the rental, lease, or other agreement in effect at the time the violation occurred. The company shall not be liable for the violation, unless prior notice of the violation has been given to that company under subsection 3 of this section and the company fails to provide a copy of the rental, lease, or employment agreement within thirty days of receipt of such notice.

5. Any automated traffic control system on a street or highway must be identified by appropriate advance warning signs conspicuously posted not more than three hundred feet from the location of the automated traffic control system location. All advance warning signs shall be approved by the department of transportation in conjunction with the city not within a county authorized to install automated traffic control systems.

6. A violation detected by an automated traffic control system shall be deemed a noncriminal violation for which a civil penalty of fifty dollars shall be assessed, and for which no points authorized by section 302.302, RSMo, shall be assigned to the owner or driver of the vehicle. A person who possesses a commercial drivers license or operates a commercial motor vehicle at the time of the violation, however, shall have such conviction posted or affixed on his or her driver's record in order to ensure compliance with Title 49, Code of Federal Regulations, Part 384, as amended.

7. The owner of the vehicle shall be issued a citation which shall clearly state the manner in which the violation may be challenged and the owner shall comply with the directions on the citation. The citation must also include instructions on how to dispose of the violation through appearance before the nonjudicial administrative hearing or payment of the fine and costs. The citation shall be processed by officials or agents of the city not within a county and shall be forwarded by personal service or first-class mail to the address given on the motor vehicle registration. If the owner fails to pay the civil penalty or to respond to the citation within the time period specified on the citation, the owner shall have waived the right to contest responsibility for the violation, and shall be subject to a civil penalty not to exceed one hundred dollars. The city not within a county may establish procedures for the collection of these penalties and may enforce the penalties by civil action in the nature of the debt.

8. The citation instructions shall inform the owner of the vehicle that, when responding to the citation, the owner shall provide any driver's license number, commercial or noncommercial, issued in the owner's name. If, upon receipt, the record reveals that the owner of the vehicle possesses a commercial driver's license, the city not within a county shall, upon conviction, notify the department of revenue of the conviction. The department of revenue shall record such conviction as prescribed by law.

9. The city not within a county shall institute a nonjudicial administrative hearing process to review objections to citations or penalties issued or assessed under this section.

10. The city not within a county that establishes an automated traffic control system may also enter into an agreement or agreements for the purpose of compensating a private vendor to perform operational and administrative tasks associated with the use of automated traffic control systems. Any compensation paid to a private vendor shall not be based upon a contingency basis nor shall such compensation be based upon revenues generated from the use of such system. The city not within a county may enter into an agreement with the department of revenue for the purpose of obtaining relevant records regarding vehicle owners in order for the city not within a county to prepare and mail summonses.

11. Photographs, micrographs, videotape, or other recorded images produced by an automated traffic control system that are provided to governmental and law enforcement agencies for the purposes of this section shall be confidential.

12. One year following the adoption of an ordinance by a city not within a county described in subsection 3 of this section, the department of public safety shall issue a report as to the effectiveness of the use of automated traffic control systems. The report shall include, but not be limited to, recommendations of whether such a system shall be instituted on a statewide basis. The report shall be delivered to the individual members of the general assembly."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 518, 288, 418 & 635, Page 74, Section 577.041, Line 13, by inserting after said line all of the following:

"Section 1. In order for a person twenty-five years of age or older to ride without protective headgear under section 302.020, RSMo, such person shall obtain an insurance policy providing at least fifty thousand dollars in medical benefits for injuries incurred as a result of a crash while operating or riding a motorcycle or motortricycle and a liability insurance policy providing liability coverage on account of accidents arising out of the ownership, maintenance or use of a motorcycle or motortricycle in the amount of not less than one hundred thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than two hundred thousand dollars because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than fifty thousand dollars because of injury to or destruction of property of others in any one accident. The director of the department of revenue shall issue such person submitting proof of insurance meeting the requirements of this subsection a driver's license, if otherwise qualified under this chapter, with a sticker or other insignia indicating proof of insurance. In addition, the person shall be issued a set of stickers to be placed upon the person's registration plates. A person failing to display such stickers shall not be exempt from the penalties authorized by subsection 3 of this section. The cost of such stickers shall be paid by the person to whom the stickers are issued."; and

Further amend the title and enacting clauses accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 518, 288, 418 & 635, Page 2, Section A, Line 6, by inserting after said line the following:

"227.374. The portion of highway 71 in Newton County from Iris Road to highway 86 shall be designated the "James W. Minton, Jr. Memorial Highway". The department of transportation shall erect and maintain appropriate signs commemorating this portion of highway. Costs for such designation shall be paid for by the family of James W. Minton, Jr."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 678, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 678, as amended**: Senators Bartle, Scott, Purgason, Callahan and Bray.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 20**.

SENATE CONCURRENT RESOLUTION NO. 20

WHEREAS, Section 21.760 of the Missouri Revised Statutes provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the aforesaid provisions of Section 21.760; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 182** and has taken up and passed **HCS SCS SB 182**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 38** and has taken up and passed **HCS SB 38**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 174** and has taken up and passed **HCS SB 174**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SBs 221, 250 & 256, as amended**, and requests that the House recede from its position and failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 233, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 307** and has taken up and passed **HCS SB 307**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA1 and HA3 to SCS SB 390**, and requests the House to recede from its position and failing to do so, grant the Senate a conference thereon.

BILL IN CONFERENCE

SS SCS HCS HB 58, as amended, relating to political subdivisions, was taken up by Representative Johnson (47).

Representative Johnson (47) moved that the House conferees on **SS SCS HCS HB 58, as amended**, be allowed to exceed the differences on Section 250.140, Paragraph 2, to exceed the 90 days of service liability and the watershed provision.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 233, as amended, relating to designation of highways and bridges, was taken up by Representative Nance.

Representative Nance moved that the House refuse to recede from its position on **HCS SCS SB 233, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 177, relating to professional registration, was taken up by Representative Behnen.

Representative Behnen moved that the House refuse to recede from its position on **HCS SB 177** and grant the Senate a conference.

Which motion was adopted.

MOTION

Representative Dempsey moved to suspend Rule 23 for the purpose of allowing the House Conferees on **SS SCS HCS HB 58, as amended**, to meet while the House is in session.

Which motion was adopted by the following vote:

AYES: 113

Avery	Baker 25	Baker 123	Bearden	Behnen
Bivins	Black	Bowman	Bringer	Brown 30
Bruns	Byrd	Chinn	Cooper 120	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Lager	Lembke	Lipke	Loehner	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Vogt	Wagner
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Wright-Jones
Yates	Young	Mr Speaker		

NOES: 045

Aull	Bland	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Johnson 61	Johnson 90
Kuessner	Lampe	LeVota	Liese	Low 39
Meadows	Oxford	Page	Roorda	Rucker
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Boykins	Cooper 155	Rupp
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VACANCIES: 001

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HB 678: Representatives Byrd, Goodman, Flook, Burnett and Johnson (90)

HCS SB 177: Representatives Behnen, Wasson, Tilley, Page and Dougherty

HCS SCS SB 233: Representatives St. Onge, Nance, Rector, Swinger and Aull

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SCS SB 287, relating to education funding, was again taken up by Representative Baker (123).

Representative Baker (123) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 86, Section B, Line 14, by deleting the words “section A” and inserting in lieu thereof the following:

“the sections listed in subsection 1 of this section”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Baker (123), **House Amendment No. 1** was adopted.

Representative Lager offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 38, Section 163.044, Lines 1 to 5, by deleting said lines and inserting in lieu thereof the following:

"163.044. 1. Beginning with the 2007 fiscal year and each subsequent fiscal year, the general assembly shall appropriate fifteen million dollars to be directed to school districts with an average daily attendance of three hundred fifty students or less in the school year preceding the payment year and with an operating levy for school purposes in the current year equal to or greater than the performance levy. A tax-rate-weighted average daily attendance shall be calculated for each eligible district in proportion to its operating levy for school purposes for the current year divided by the performance levy with that result multiplied by the district's average daily attendance in the school year preceding the payment year. The total appropriation pursuant to this section shall then be divided by the sum of the tax-rate-weighted average daily attendance of the eligible districts, and the resulting amount per tax-rate-weighted average daily attendance shall be multiplied by each eligible district's tax-rate-weighted average daily attendance to determine the amount to be paid to each eligible district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Swinger offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Swinger offered **House Substitute Amendment No. 2 for House Amendment No. 2**.

*House Substitute Amendment No. 2
for
House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 38, Section 163.044, Lines 1-13, by striking all of said lines and inserting in lieu thereof the following:

“163.044. 1. To the entitlement established pursuant to subsection 1 of section 163.031, there shall be added, for K-12 districts, the greater of: 1) zero or 2) the K-12 small district fixed cost amount minus four hundred dollars times the district’s average daily attendance, and for K-8 districts, the greater of: 1) zero or 2) the K-8 small district fixed cost amount minus three hundred dollars times the district’s average daily attendance.

2. As used in this section, the term “K-12” small district fixed cost amount” shall mean two hundred forty thousand dollars for the 2006-07 school year and shall be adjusted each succeeding school year by the greater of zero or the percent change in the Consumer Price Index for the preceding year. As used in this section, the term “K-8 small district fixed cost amount” shall mean one hundred eighty thousand dollars for the 2006-07 school year and shall be adjusted each succeeding school year by the greater of zero or the percent change in the Consumer Price Index for preceding year.”.

Representative Pratt raised a point of order that **House Substitute Amendment No. 2 for House Amendment No. 2** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Swinger moved that **House Substitute Amendment No. 2 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 098

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145

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Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins	Haywood	Marsh
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VACANCIES: 001

On motion of Representative Lager, **House Amendment No. 2** was adopted by the following vote:

AYES: 096

Avery	Baker 25	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Brown 30	Bruns
Byrd	Chinn	Cooper 120	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 23	Henke
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lipke	Loehner	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Rucker
Ruestman	Rupp	Sander	Schaaf	Schlottach
Schneider	Self	Shoemyer	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Wasson	Whorton
Wildberger	Wilson 119	Wood	Wright 159	Yates
Mr Speaker				

NOES: 062

Aull	Bland	Bowman	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin

Emery	Fraser	George	Harris 110	Haywood
Hoskins	Hubbard	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Low 39	Lowe 44	Meiners
Oxford	Page	Robinson	Roorda	Salva
Sater	Schad	Schoemehl	Selby	Skaggs
Spreng	Storch	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wells
Weter	Wilson 130	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins	Cooper 155	Marsh	Wright 137
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VACANCIES: 001

Representative Behnen offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 31, Section 163.031, Line 203, by inserting after all of said line the following:

“(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:”; and

Further amend said bill, Section 163.031, Page 31, Lines 204, 212, 220, and 227, by redesignating subdivisions **(1), (2), (3), and (4)** as paragraphs **(a), (b), (c), and (d)**; and

Further amend said bill, Section 163.031, Page 31, Line 228, by deleting **“subdivision (3) of this subsection”** and inserting in lieu thereof the following: **“paragraph (c) of this subdivision”**; and

Further amend said bill, Section 163.031, Line 230, by inserting after all of said line the following:

“(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one.

(b) For the 2007-08 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one.

(c) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier.

(d) **For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision.”; and**

Further amend said bill, Section 163.031, Page 31, Line 231, by redesignating (5) as (3); and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Behnen, **House Amendment No. 3** was adopted.

Representative Pearce offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 15, Section 163.011, Line 93, by deleting the word “**fifteen**” and inserting in lieu thereof the following: “**ten**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Byrd offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 1 of said amendment, Line 3, by striking “**ten**” and inserting in lieu thereof “**fifteen**”; and

Further amend said bill, Section 163.011, Page 16, Line 106, by inserting after the word “**year**” the following:

“and recalculated upon every decennial census to incorporate counties that are newly added to the description of metropolitan areas”; and

Further amend said bill, Section 163.011, Page 16, Line 112, by inserting after the word “**established**” the following:

“and recalculated upon every decennial census to incorporate counties that are newly added to the description of micropolitan areas”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

Representative Aull offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 4.**

Representative Byrd raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 4** is not allowed under House rules.

The Chair ruled the point of order well taken.

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Byrd, **House Amendment No. 1 to House Amendment No. 4** was adopted by the following vote:

AYES: 119

Avery	Baker 123	Bearden	Bivins	Black
Bland	Bowman	Brown 30	Brown 50	Bruns
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Fraser	George
Goodman	Harris 110	Henke	Hoskins	Hubbard
Iceet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kratky	Kraus
Lembke	LeVota	Liese	Lipke	Low 39
Lowe 44	Meadows	Meiners	Moore	Muschany
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Sater	Schaaf	Schlottach	Schneider
Schoemehl	Selby	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Villa
Wagner	Walsh	Walton	Weter	Wildberger
Wilson 130	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 039

Aull	Baker 25	Bean	Behnen	Bringer
Burnett	Chinn	Dethrow	Franz	Guest
Harris 23	Haywood	Hobbs	Hughes	Hunter
Kingery	Kuessner	Lager	Lampe	Loehner
May	McGhee	Munzlinger	Myers	Quinn
Salva	Sander	Schad	Self	Shoemyer
Swinger	Viebrock	Wallace	Wasson	Wells
Whorton	Wilson 119	Witte	Wood	

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 003

Boykins	Marsh	Vogt
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VACANCIES: 001

Representative Bringer offered **House Amendment No. 2 to House Amendment No. 4.**

House Amendment No. 2
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 1, Section 163.011, Line 3, by inserting after said line the following:

Further amend said bill, Page 16, Section 163.011, Line 116, by inserting after said line the following:

“d. If a school districts boundaries include all or part of more than one county, than the county wage per job to be used shall be from the county with the highest wage per job”.

Representative Bringer moved that **House Amendment No. 2 to House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Aull	Baker 25	Bean	Behnen	Black
Bland	Bowman	Bringer	Brooks	Brown 50
Burnett	Casey	Chinn	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kelly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Munzlinger
Oxford	Page	Pollock	Robinson	Roorda
Rucker	Salva	Sander	Schaaf	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Sutherland	Swinger	Threlkeld	Villa	Wagner
Wallace	Walsh	Walton	Wells	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 082

Avery	Baker 123	Bearden	Bivins	Brown 30
Bruns	Byrd	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hunter
Ice	Jackson	Johnson 47	Jones	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Portwood	Pratt	Quinn
Rector	Richard	Robb	Ruestman	Rupp
Sater	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Tilley	Viebrock	Wasson	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins Marsh Roark Vogt

VACANCIES: 001

Representative Aull offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

Representative Goodman raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** amends previously amended material.

Representative Byrd raised an additional point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is dilatory.

The Chair ruled the first point of order well taken.

On motion of Representative Pearce, **House Amendment No. 4, as amended**, was adopted.

Representative Wilson (119) offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Section 1, Pages 76 and 77, Lines 6 to 15, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sutherland offered **House Amendment No. 1 to House Amendment No. 5.**

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 1 of said amendment, Line 2, by deleting "Lines 6 to 15, by deleting all of said lines" and inserting the following:

"Lines 6 to 8, by deleting all of said lines and inserting in lieu thereof the following:

2. The committee shall report to the state tax commission any concerns it finds regarding the state's assessment practices as outlined under chapter 137, RSMo. The state tax commission shall ensure that all counties are accurately assessed, as provided by statute.; and

Further amend said bill, Pages 76 and 77, Lines 9 to 15, by deleting all of said lines."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 1 to House Amendment No. 5** was adopted by the following vote:

AYES: 092

Baker 123	Bean	Bearden	Behnen	Black
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fisher	Flook	Franz	Goodman	Guest
Henke	Hobbs	Hunter	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Pratt	Quinn	Rector
Richard	Robb	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Shoemyer	Silvey	Smith 14
Smith 118	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 065

Aull	Avery	Baker 25	Bivins	Bland
Bowman	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fares	Fraser
George	Harris 23	Harris 110	Haywood	Hoskins
Hubbard	Hughes	Ice	Johnson 61	Johnson 90
Jolly	Kuessner	Lampe	Lembke	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Portwood	Roark	Robinson
Roorda	Rucker	Schoemehl	Selby	Skaggs
Spreng	Stefanick	Storch	Swinger	Villa
Wagner	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 004

Boykins	Kratky	Vogt	Wasson
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VACANCIES: 001

Representative Avery offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

Representative Goodman raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 5** amends previously amended material.

Representative Stevenson raised an additional point of order that **House Substitute Amendment No. 1 for House Amendment No. 5** is dilatory under Rule 70.

The Chair ruled the first point of order not well taken.

The Chair ruled the second point of order well taken.

On motion of Representative Wilson (119), **House Amendment No. 5, as amended**, was adopted.

Representative Johnson (47) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 20, Section 163.011, Lines 248 and 249, by deleting all of said lines and inserting in lieu thereof the following:

“(14) ‘Performance levy’, the average daily attendance-weighted mean operating levy for school purposes for the 2004-05”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Byrd offered **House Amendment No. 1 to House Amendment No. 6**.

House Amendment No. 1

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 1, Lines 4 and 5, by deleting the words **“the average daily attendance-weighted mean operating levy for school purposes for the 2004-05”** and inserting in lieu thereof the following:

“three dollars and fifty cents;”; and

Further amend said amendment, by inserting after all of Line 5 the following:

“Further amend said bill, Page 20, Section 163.011, Lines 250 to 252, by deleting all of said lines”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 1 to House Amendment No. 6** was adopted by the following vote:

AYES: 087

Baker 123	Bean	Bearden	Behnen	Black
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Emery	Ervin	Faith	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Jackson	Johnson 47	Jones	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Portwood	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Mr Speaker			

NOES: 069

Aull	Avery	Baker 25	Bland	Bowman
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Cunningham 86	Curls	Darrough
Daus	Donnelly	Dougherty	Dusenberg	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kelly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Pollock
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Yates	Young	Zweifel	

PRESENT: 002

Bivins Fares

ABSENT WITH LEAVE: 004

Boykins Icet Marsh Pratt

VACANCIES: 001

Representative Schoemehl offered **House Amendment No. 2 to House Amendment No. 6**.

Representative Flook raised a point of order that **House Amendment No. 2 to House Amendment No. 6** is dilatory and amends previously amended material.

The Chair ruled the point of order well taken.

On motion of Representative Johnson (47), **House Amendment No. 6, as amended**, was adopted.

Representative Dixon offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 12, Section 162.081, Line 96, by inserting after all of said line the following:

"162.675. As used in sections 162.670 to 162.995, unless the context clearly indicates otherwise, the following terms mean:

(1) "Gifted children", children who exhibit precocious development of mental capacity and learning potential as determined by competent professional evaluation to the extent that continued educational growth and stimulation could best be served by an academic environment beyond that offered through a standard grade level curriculum;

(2) "Handicapped children", children under the age of twenty-one years who have not completed an approved high school program and who, because of mental, physical, emotional or learning problems, require special educational services;

(3) "Severely handicapped children", handicapped children under the age of twenty-one years who[, because of the extent of the handicapping condition or conditions, as determined by competent professional evaluation, are unable to benefit from or meaningfully participate in programs in the public schools for handicapped children. The term "severely handicapped" is not confined to a separate and specific category but pertains to the degree of disability which permeates a variety of handicapping conditions and education programs] **meet the eligibility criteria for state schools for severely handicapped children, identified in state regulations that implement the Individuals with Disabilities Education Act;**

(4) "Special educational services", programs designed to meet the needs of handicapped or severely handicapped children and which include, but are not limited to, the provision of diagnostic and evaluation services, student and parent counseling, itinerant, homebound and referral assistance, organized instructional and therapeutic programs, transportation, and corrective and supporting services.

162.740. The district of residence of each child attending a state school for severely handicapped children[, an institution providing contractual services arranged pursuant to section 162.735,] or an educational program for a full-time patient or resident at a facility operated by the department of mental health, except school districts which are a part of a special district and except special school districts, shall pay toward the cost of the education of the child an amount equal to the average sum produced per child by the local tax effort of the district. The district of residence shall be notified each year, not later than December fifteenth, of the names and addresses of pupils enrolled in such schools. In the case of a special district, said special district shall be responsible for an amount per child not to exceed the average sum produced per child by the local tax efforts of the component districts. The district of residence of the child's parents or guardians shall be the district responsible for local tax contributions required by this section."; and

Further amend said bill, Page 13, Section 162.935, Line 35, by inserting after all of said line the following:

"162.974. 1. The state department of elementary and secondary education shall reimburse school districts, including special school districts, for the educational costs of high-need children with an individualized education program exceeding three times the current expenditure per average daily attendance as calculated on the district annual secretary of the board report for the year in which expenditures are claimed.

2. A school district shall submit, through timely application, as determined by the state department of elementary and secondary education, the cost of serving any student, as provided in subsection 1 of this section."; and

Further amend said bill, Page 80, Section 160.550, Line 39, by inserting after all of said line the following:

"[162.725. 1. The state board of education shall provide special educational services for all severely handicapped children residing in school districts which are not included in special districts provided that such school districts are unable to provide appropriate programs of special instruction for severely handicapped children; however, this shall not prevent any school district from conducting a program for the special instruction of severely handicapped children, except that such program must provide substantially the same special educational services as would be provided in a school operated by the state board of education and such program must be approved by the state department of elementary and secondary education in accordance with regulations established pursuant to section 162.685.

2. Special educational programs shall be established which are designed to develop the individual pupil in order that he may achieve the best possible adjustment in society under the limitation of his handicap.

3. When special districts have been formed to serve handicapped and severely handicapped children under the provisions of sections 162.670 to 162.995, severely handicapped children residing in school districts comprising the special district shall be educated in programs of the special district.]

[162.735. The state department of elementary and secondary education may assign severely handicapped children, except severely handicapped children residing in special school districts and in districts providing approved special educational services for severely handicapped children, to state schools for severely handicapped children, the school for the blind or the school for the deaf. Furthermore, the state board of education may contract for the education of a severely handicapped child with another public agency or with a private agency when the state department of elementary and secondary education determines that such an arrangement would be in the best interests of the severely handicapped child. Assignment of severely handicapped children under this section shall be made to a particular school or program which, in the judgment of the state department of elementary and secondary education, can best provide special educational services, and such assignment shall be made upon the basis of competent evaluations; provided, however, the assignment may be appealed by a parent or guardian pursuant to sections 162.945 to 162.965. Children who are not residents of this state may be admitted to these schools if the schools have the capacity to receive them and upon payment of full tuition and costs as prescribed by the state board of education.]; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Lampe offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 4, Section 162.974, Line 5, by inserting after all of said line the following:

"Section 2. 1. The board of education of each district shall pay the tuition of each pupil resident therein who attends a program for exceptionally gifted students in another district of the same county or adjacent county if a student meets the established qualifications and is accepted for placement into a program for exceptionally gifted students and if the parent or guardian of the pupil determines that the pupil's needs can be better met by the program for exceptionally gifted students in the receiving district than in the district of residence.

2. The rate of tuition to be charged by the district attended and paid by the sending district shall be the amount set by the advisory board of the program for exceptionally gifted students and may not exceed the current expenditure per average daily attendance of the district in which the program for exceptionally gifted students is located."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe moved that **House Amendment No. 1 to House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Byrd	Chappelle-Nadal
Corcoran	Cunningham 86	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fisher	Fraser
George	Harris 23	Harris 110	Haywood	Hoskins
Hubbard	Hughes	Johnson 47	Johnson 61	Jolly
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meiners	Moore	Muschany
Nolte	Oxford	Page	Parker	Pratt
Rector	Robb	Robinson	Roorda	Rucker
Rupp	Salva	Sater	Schoemehl	Shoemyer
Silvey	Skaggs	Spreng	Storch	Swinger
Villa	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Yates	Young
Zweifel				

NOES: 084

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Flook	Franz	Goodman	Guest
Henke	Hobbs	Hunter	Ice	Jackson
Johnson 90	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	May	McGhee
Meadows	Munzlinger	Nance	Nieves	Parson
Pearce	Phillips	Pollock	Portwood	Quinn
Richard	Roark	Ruestman	Sander	Schaaf
Schad	Schlottach	Selby	Self	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wagner	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Boykins	Fares	Kratky	Marsh	Myers
Schneider	Vogt			

VACANCIES: 001

On motion of Representative Dixon, **House Amendment No. 7** was adopted.

Representative Moore offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 77, Section 1, Line 15, by inserting after all of said line the following:

“Section 2. In any school year after the 2009-2010 school year, if there is a twenty-five percent decrease in the statewide percentage of average daily attendance attributable to summer school compared to the percentage of average daily attendance attributable to summer school in the 2005-2006 school year, then for the subsequent school year, weighted average daily attendance, as such term is defined in section 163.011, RSMo, shall include the addition of the product of twenty-five hundredths times the average daily attendance for summer school.”; and

Further amend said bill, Page 86, Section B, Line 2, by deleting “and 1” and inserting in lieu thereof the following: “1, and 2”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Corcoran offered **House Substitute Amendment No. 1 for House Amendment No. 8.**

*House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 13, Section 163.011, Line 23, by inserting immediately after the words “added the”, the following:

“product of the”; and

Further amend said bill, Page 13, Section 163.011, Line 24, by inserting immediately after the word “students”, the following:

“multiplied by one and fifty hundredths”; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bringer offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8.**

*House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 8*

AMEND House Substitute Amendment No. 1 for House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 1, Section 163.011, Line 7, by deleting the words “one and 50 hundredths” and inserting in lieu thereof the words “two”.

Representative Bringer moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	Dusenberg	El-Amin	Fraser	George
Harris 23	Harris 110	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Pratt	Robinson	Roorda	Rucker
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Yates	Young	Zweifel	

NOES: 092

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Haywood	Myers	Salva
Vogt				

VACANCIES: 001

Representative Corcoran moved that **House Substitute Amendment No. 1 for House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 070

Aull	Avery	Baker 25	Bland	Bowman
Bringer	Brooks	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	Dusenberg	El-Amin	Fraser
George	Harris 23	Harris 110	Henke	Hoskins
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McGhee	Meadows	Meiners
Munzlinger	Oxford	Page	Parker	Pratt
Robinson	Roorda	Rucker	Rupp	Schoemehl
Selby	Shoemyer	Silvey	Skaggs	Spreng
Storch	Swinger	Villa	Wagner	Walsh
Walton	Whorton	Wildberger	Wilson 130	Witte
Wright-Jones	Yaeger	Yates	Young	Zweifel

NOES: 085

Baker 123	Bearden	Behnen	Bivins	Black
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	Marsh	May
Moore	Muschany	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Quinn	Rector	Richard	Roark	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wood	Wright 137	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Boykins	Haywood	Myers	Salva
Vogt	Wright 159			

VACANCIES: 001

Representative Schneider offered **House Amendment No. 1 to House Amendment No. 8.**

Representative Bringer raised a point of order that **House Amendment No. 1 to House Amendment No. 8** is not a true amendment to the amendment.

The Chair ruled the point of order well taken.

On motion of Representative Moore, **House Amendment No. 8** was adopted.

Representative Sanders Brooks offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Section 160.415, Pages 4 to 6, Lines 1 to 77, by deleting all of said lines and inserting in lieu thereof the following:

- “160.400. 1. A charter school is an independent[, publicly supported] **public** school.
2. Charter schools may be operated only in a metropolitan school district or in an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants and may be sponsored by any of the following:
- (1) The school board of the district;
 - (2) A public four-year college or university with its primary campus in the school district or in a county adjacent to the county in which the district is located, with an approved teacher education program that meets regional or national standards of accreditation; [or]
 - (3) A community college located in the district; **or**
 - (4) **Any private four-year college or university in Missouri with its primary campus located in the standard metropolitan statistical area of a district in which charter schools are permitted, an enrollment of at least one thousand students, and with an approved teacher preparation program.**
3. [A maximum of five percent of the school buildings currently in use for instructional purposes in a district may be converted to charter schools. This limitation does not apply to vacant buildings or buildings not used for instructional purposes.] **The mayor of a city not within a county may request a sponsor under subdivision (2), (3), or (4) of subsection 2 of this section to consider sponsoring a workplace charter school, which is defined for purposes of sections 160.400 to 160.420 as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in the city.**
4. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.
5. The charter school shall be a Missouri nonprofit corporation incorporated pursuant to chapter 355, RSMo. The charter provided for herein shall constitute a contract between the sponsor and the charter school.
6. As a nonprofit corporation incorporated pursuant to chapter 355, RSMo, the charter school shall select the method for election of officers pursuant to section 355.326, RSMo, based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030, RSMo, the open meetings law.
7. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.
8. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 2 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. The primary campus of the college or university must be located within the county in which the school district lies wherein the charter school is located or in a county adjacent to the county in which the district is located. A university, college or community college may not charge or accept a fee for affiliation status.
9. **The expenses associated with sponsorship of charter schools shall be defrayed by the department of elementary and secondary education retaining one and five-tenths percent of the amount of state and local funding allocated to the charter school under section 160.415, not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. Such amount shall not be withheld when the sponsor is a school district or the state board of education. The department of elementary and secondary education shall remit the retained funds for each charter school to the school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship obligations under sections 160.400 to 160.420 and 167.349, RSMo, with regard to each charter school it sponsors.**

10. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

11. No sponsor shall grant a charter under sections 160.400 to 160.420 and 167.349, RSMo, without ensuring that a criminal background check and child abuse registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and child abuse registry check are conducted for each member of the governing board of the charter school.

12. No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, RSMo, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450, RSMo, for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489, RSMo.

13. A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.420 and 167.349, RSMo.

14. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.420 and 167.349, RSMo, for each charter school sponsored by any sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board, after a public hearing, may require remedial action for a sponsor that it finds has not fulfilled its obligations of sponsorship, such remedial actions including withholding the sponsor's funding and suspending for a period of up to one year the sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional school. If the state board removes the authority to sponsor a currently operating charter school, the state board shall become the interim sponsor of the school for a period of up to three years until the school finds a new sponsor or until the charter contract period lapses.

160.405. 1. A person, group or organization seeking to establish a charter school shall submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a school board, the applicant shall give a copy of its application to the school board of the district in which the charter school is to be located[, when] **and to the state board of education, within five business days of the date** the application is filed with the proposed sponsor. The school board may file objections with the proposed sponsor, and, if a charter is granted, the school board may file objections with the state board of education. The charter shall include a mission statement for the charter school, a description of the charter school's organizational structure and bylaws of the governing body, which will be responsible for the policy and operational decisions of the charter school, a financial plan for the first three years of operation of the charter school including provisions for annual audits, a description of the charter school's policy for securing personnel services, its personnel policies, personnel qualifications, and professional development plan, a description of the grades or ages of students being served, the school's calendar of operation, which shall include at least the equivalent of a full school term as defined in section 160.011, and an outline of criteria specified in this section designed to measure the effectiveness of the school. The charter shall also state:

- (1) The educational goals and objectives to be achieved by the charter school;
- (2) A description of the charter school's educational program and curriculum;
- (3) The term of the charter, which shall be not less than five years, nor greater than ten years and shall be renewable;

- (4) A description of the charter school's pupil performance standards, which must meet the requirements of subdivision (6) of subsection 5 of this section. The charter school program must be designed to enable each pupil to achieve such standards; [and]

- (5) A description of the governance and operation of the charter school, including the nature and extent of parental, professional educator, and community involvement in the governance and operation of the charter school; **and**

- (6) **A description of the charter school's policies on student discipline and student admission, which shall include a statement, where applicable, of the validity of attendance of students who do not reside in the district but who may be eligible to attend under the terms of judicial settlements.**

2. Proposed charters shall be subject to the following requirements:

(1) A charter may be approved when the sponsor determines that the requirements of this section are met and determines that the applicant is sufficiently qualified to operate a charter school. The sponsor's decision of **approval or denial** shall be made within [sixty] **ninety** days of the filing of the proposed charter;

(2) If the charter is denied, the proposed sponsor shall notify the applicant in writing as to the reasons for its denial **and forward a copy to the state board of education within five business days following the denial**;

(3) If a proposed charter is denied by a sponsor, the proposed charter may be submitted to the state board of education, along with the sponsor's written reasons for its denial. If the state board determines that the applicant meets the requirements of this section, **that the applicant is sufficiently qualified to operate the charter school**, and that granting a charter to the applicant would be likely to provide educational benefit to the children of the district, the state board may grant a charter and act as sponsor of the charter school. **The state board shall review the proposed charter and make a determination of whether to deny or grant the proposed charter within sixty days of receipt of the proposed charter, provided that any charter to be considered by the state board of education under this subdivision shall be submitted no later than March first prior to the school year in which the charter school intends to begin operations. The state board of education shall notify the applicant in writing as the reasons for its denial, if applicable; and**

(4) The sponsor of a charter school shall give priority to charter school applicants that propose a school oriented to high-risk students and to the reentry of dropouts into the school system. If a sponsor grants three or more charters, at least one-third of the charters granted by the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk" student is one who is at least one year behind in satisfactory completion of course work or obtaining credits for graduation, pregnant or a parent, homeless or has been homeless sometime within the preceding six months, has limited English proficiency, has been suspended from school three or more times, **is eligible for free or reduced price school lunch**, or has been referred by the school district for enrollment in an alternative program. "Dropout" shall be defined through the guidelines of the school core data report. The provisions of this subsection do not apply to charters sponsored by the state board of education.

3. If a charter is approved by a sponsor, [it] **the charter application** shall be submitted to the state board of education [which], **along with a statement of finding that the application meets the requirements of sections 160.400 to 160.420 and section 167.439, RSMo, and a monitoring plan under which the charter sponsor will evaluate the academic performance of students enrolled in the charter school. The state board of education may, within [forty-five] sixty days, disapprove the granting of the charter. The state board of education may disapprove a charter [only] on grounds that the application fails to meet the requirements of sections 160.400 to 160.420 and section 167.349, RSMo, or that a charter sponsor previously failed to meet the statutory responsibilities of a charter sponsor.**

4. Any disapproval of a charter pursuant to subsection 3 of this section shall be subject to judicial review pursuant to chapter 536, RSMo.

5. A charter school shall, as provided in its charter:

(1) Be nonsectarian in its programs, admission policies, employment practices, and all other operations;

(2) Comply with laws and regulations of the state, **county, or city** relating to health, safety, and **state** minimum educational standards, **as specified by the state board of education, including the requirements relating to student discipline under sections 160.261, 167.161, 167.164, and 167.171, RSMo, notification of criminal conduct to law enforcement authorities under sections 167.115 to 167.117, RSMo, academic assessment under section 160.518, transmittal of school records under section 167.020, RSMo, and the minimum number of school days and hours required under section 160.041;**

(3) Except as provided in sections 160.400 to 160.420, be exempt from all laws and rules relating to schools, governing boards and school districts;

(4) Be financially accountable, use practices consistent with the Missouri financial accounting manual, provide for an annual audit by a certified public accountant, **publish audit reports and annual financial reports as provided in chapter 165, RSMo, provided that the annual financial report may be published on the department of elementary and secondary education's Internet web site in addition to other publishing requirements**, and provide liability insurance to indemnify the school, its board, staff and teachers against tort claims. **A charter school that receives local educational agency status under subsection 6 of this section shall meet the requirements imposed by the Elementary and Secondary Education Act for audits of such agencies. For purposes of an audit by petition under section 29.230, RSMo, a charter school shall be treated as a political subdivision on the same terms and conditions as the school district in which it is located.** For the purposes of securing such insurance, a charter school shall be eligible for the Missouri public entity risk management fund pursuant to section 537.700, RSMo. A charter school that incurs debt must include a repayment plan in its financial plan;

(5) Provide a comprehensive program of instruction for at least one grade or age group from kindergarten through grade twelve, which may include early childhood education if funding for such programs is established by statute, as specified in its charter;

(6) (a) Design a method to measure pupil progress toward the pupil academic standards adopted by the state board of education pursuant to section 160.514, collect baseline data during at least the first three years for determining how the charter school is performing and to the extent applicable, participate in the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests, as designated by the state board pursuant to section 160.518, complete and distribute an annual report card as prescribed in section 160.522, **which shall also include a statement that background checks have been completed on the charter school's board members**, report to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof, and provide data required for the study of charter schools pursuant to subsection 3 of section 160.410. No charter school will be considered in the Missouri school improvement program review of the district in which it is located for the resource or process standards of the program.

(b) **For proposed high risk or alternative charter schools, sponsors shall approve performance measures based on mission, curriculum, teaching methods, and services. Sponsors shall also approve comprehensive academic and behavioral measures to determine whether students are meeting performance standards on a different time frame as specified in that school's charter. Student performance shall be assessed comprehensively to determine whether a high risk or alternative charter school has documented adequate student progress. Student performance shall be based on sponsor-approved comprehensive measures as well as standardized public school measures. Annual presentation of charter school report card data to the department of elementary and secondary education, the state board, and the public shall include comprehensive measures of student progress.**

(c) Nothing in this paragraph shall be construed as permitting a charter school to be held to lower performance standards than other public schools within a district; however, the charter of a charter school may permit students to meet performance standards on a different time frame as specified in its charter;

(7) Assure that the needs of special education children are met in compliance with all applicable federal and state laws and regulations;

(8) **Provide along with any request for review by the state board of education the following:**

(a) **Documentation that the applicant has provided a copy of the application to the school board of the district in which the charter school is to be located, except in those circumstances where the school district is the sponsor of the charter school; and**

(b) **A statement outlining the reasons for approval or disapproval by the sponsor, specifically addressing the requirements of sections 160.400 to 160.420 and 167.349, RSMo.**

6. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor. The sponsor and the governing board and staff of the charter school shall jointly review the school's performance, management and operations at least once every two years **or at any point where the operation or management of the charter school is changed or transferred to another entity, either public or private.** The governing board of a charter school may amend the charter, if the sponsor approves such amendment, or the sponsor and the governing board may reach an agreement in writing to reflect the charter school's decision to become a local educational agency for the sole purpose of seeking direct access to federal grants. In such case the sponsor shall give the department of elementary and secondary education written notice no later than March first of any year, with the agreement to become effective July first. The department may waive the March first notice date in its discretion. The department shall identify and furnish a list of its regulations that pertain to local educational agencies to such schools within thirty days of receiving such notice.

7. (1) A sponsor may revoke a charter at any time if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: failure to meet academic performance standards as set forth in its charter, failure to meet generally accepted standards of fiscal management, **failure to provide information necessary to confirm compliance with all provisions of the charter and sections 160.400 to 160.420 and 167.349, RSMo, within forty-five days following receipt of written notice requesting such information, or violation of law.**

(2) The sponsor may place the charter school on probationary status to allow the implementation of a remedial plan, **which may require a change of methodology, a change in leadership, or both**, after which, if such plan is unsuccessful, the charter may be revoked.

(3) At least sixty days before acting to revoke a charter, the sponsor shall notify the [board of directors] **governing board** of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action. The school's [board of directors] **governing board** may request in writing a hearing before the sponsor within two weeks of receiving the notice.

(4) The sponsor of a charter school shall establish procedures to conduct administrative hearings upon determination by the sponsor that grounds exist to revoke a charter. Final decisions of a sponsor from hearings conducted pursuant to this subsection are subject to judicial review pursuant to chapter 536, RSMo.

(5) A termination shall be effective only at the conclusion of the school year, unless the sponsor determines that continued operation of the school presents a clear and immediate threat to the health and safety of the children.

(6) A charter sponsor shall make available the school accountability report card information as provided under section 160.522 and the results of the academic monitoring required under subsection 3 of this section.

8. A sponsor shall take all reasonable steps necessary to confirm that each charter school sponsored by such sponsor is in material compliance and remains in material compliance with all material provisions of the charter and sections 160.400 to 160.420 and 167.349 RSMo. Every charter school shall provide all information necessary to confirm ongoing compliance with all provisions of its charter and sections 160.400 to 160.420 and 167.349, RSMo, in a timely manner to its sponsor.

9. A school district may enter into a lease with a charter school for physical facilities. [A charter school may not be located on the property of a school district unless the district governing board agrees.]

[9.] 10. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee at the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an educational program.

11. Charter school board members shall be subject to the same liability for acts while in office as if they were regularly and duly elected members of school boards in any other public school district in this state. The governing board of a charter school may participate, to the same extent as a school board, in the Missouri public entity risk management fund in the manner provided under sections 537.700 to 537.756, RSMo.

12. Any entity, either public or private, operating, administering, or otherwise managing a charter school shall be considered a quasi-public governmental body and subject to the provisions of sections 610.010 to 610.035, RSMo.

13. The chief financial officer of a charter school shall maintain a surety bond in an amount determined by the sponsor to be adequate based on the cash flow of the school.

160.410. 1. A charter school shall enroll:

(1) All pupils resident in the district in which it operates, [or]

(2) **Nonresident pupils** eligible to attend a district's school under an urban voluntary transfer program, **and**

(3) **In the case of a workplace charter school, any student eligible to attend under subdivisions (1) or (2) of this subsection whose parent is employed in the business district,**

who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. **The configuration of a business district shall be set forth in the charter and shall not be construed to create an undue advantage for a single employer or small number of employers.** If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socioeconomically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education; and

(2) A charter school may also give a preference for admission of children whose siblings attend the school or whose parents are employed at the school **or in the case of a workplace charter school, a child whose parent is employed in the business district or at the business site of such school.**

2. A charter school shall not limit admission based on race, ethnicity, national origin, disability, gender, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level.

3. The department of elementary and secondary education shall commission a study of the performance of students at each charter school in comparison with a comparable group and a study of the impact of charter schools upon the districts in which they are located, to be conducted by a contractor selected through a request for proposal. The department of elementary and secondary education shall reimburse the contractor from funds appropriated by the general

assembly for the purpose. The study of a charter school's student performance in relation to a comparable group shall be designed to provide information that would allow parents and educators to make valid comparisons of academic performance between the charter school's students and a group of students comparable to the students enrolled in the charter school. The impact study shall be undertaken every two years to determine the effect of charter schools on education stakeholders in the districts where charter schools are operated. The impact study may include, but is not limited to, determining if changes have been made in district policy or procedures attributable to the charter school and to perceived changes in attitudes and expectations on the part of district personnel, school board members, parents, students, the business community and other education stakeholders. The department of elementary and secondary education shall make the results of the studies public and shall deliver copies to the governing boards of the charter schools, the sponsors of the charter schools, the school board and superintendent of the districts in which the charter schools are operated.

4. A charter school shall make available for public inspection, and provide upon request, to the parent, guardian, or other custodian of any school-age pupil resident in the district in which the school is located, the following information:

- (1) The school's charter;
- (2) The school's most recent annual report card published according to section 160.522; and
- (3) The results of background checks on the charter school's board members.

The charter school may charge reasonable fees, not to exceed the rate specified in section 610.026, RSMo, for furnishing copies of documents under this subsection.

160.415. 1. For the purposes of calculation and distribution of state school aid under section 163.031, RSMo, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free [or reduced-price] **and reduced lunch [or other], special education, or limited English proficiency status, as well as eligibility for** categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside [and]. **The charter school shall report the average daily attendance data, free and reduced lunch count, special education pupil count, and limited English proficiency pupil count** to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools shall be as described in this subsection.

(1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the [equalized, adjusted operating levy for school purposes for the pupils' district of residence for the current year times the guaranteed tax base per eligible pupil, as defined in section 163.011, RSMo, times the number of the district's resident pupils attending the charter school] **charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers funds in excess of the performance levy as defined in section 163.011, RSMo,** plus all other state aid attributable to such pupils[, including summer school, if applicable, and all aid provided pursuant to section 163.031, RSMo].

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

(3) **If the department overpays or underpays the amount due to the charter school, such overpayment or underpayment shall be repaid by the public charter school or credited to the public charter school in twelve equal payments in the next fiscal year.**

(4) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

[(4)] (5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. **The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.**

[(5)] The per-pupil amount paid by a school district to a charter school shall be reduced by the amount per pupil determined by the state board of education to be needed by the district in the current year for repayment of leasehold revenue bonds obligated pursuant to a federal court desegregation action.]

3. A workplace charter school shall receive payment for each eligible pupil as provided under subsection 2 of this section, except that if the student is not a resident of the district and is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the same as provided under section 162.1060, RSMo.

4. A charter school that has declared itself as a local educational agency shall receive from the department of elementary and secondary education an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers funds in excess of the performance levy as defined in section 163.011, RSMo, plus all other state aid attributable to such pupils. If a charter school declares itself as a local education agency, the department of elementary and secondary education shall, upon notice of the declaration, reduce the payment made to the school district by the amount specified in this subsection and pay directly to the charter school the annual amount reduced from the school district's payment.

5. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to subsection 2 of this section, the amount of overpayment or underpayment shall be adjusted [in its next payment] **equally in the next twelve payments** by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter 536, RSMo. **During the period of dispute, the department of elementary and secondary education shall make every administrative and statutory effort to allow the continued education of children in their current public charter school setting.**

[4.] **6.** The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

[5.] **7.** A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

[6.] **8.** A charter school shall be eligible for transportation state aid pursuant to section 163.161, RSMo, and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

[7.] **9.** (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school district shall provide the special services provided pursuant to section 162.705, RSMo, and may provide the special services pursuant to a contract with a school district or any provider of such services.

[8.] **10.** A charter school may not charge tuition, nor may it impose fees that a school district is prohibited from imposing.

[9.] **11.** A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355, RSMo.

[10.] **12.** Charter schools shall not have the power to acquire property by eminent domain.

[11.] **13.** The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

160.420. **1. Any school district in which charter schools may be established under sections 160.400 to 160.420 shall establish a uniform policy which provides that** if a charter school offers to retain the services of an employee of a school district, and the employee accepts a position at the charter school, [the contract between the charter school and the school district may provide that] an employee at the employee's option may remain an employee of the district and the charter school shall pay to the district the district's full costs of salary and benefits provided to the employee. **[A] The district's policy shall provide that any teacher who accepts a position at a charter school and opts**

to remain an employee of the district retains such teacher's permanent teacher status and **retains such teacher's** seniority rights in the district **for three years**. The school district shall not be liable for any such employee's acts while an employee of the charter school.

2. A charter school may employ noncertificated instructional personnel; provided that no more than twenty percent of the full-time equivalent instructional staff positions at the school are filled by noncertificated personnel. All [noncertified] **noncertificated** instructional personnel shall be supervised by [certified] **certificated** instructional personnel. **A charter school that has a foreign language immersion experience as its chief educational mission, as stated in its charter, shall not be subject to the twenty percent requirement of this subsection but shall ensure that any teachers whose duties include instruction given in a foreign language have current valid credentials in the country in which such teacher received his or her training and shall remain subject to the remaining requirements of this subsection.** The charter school shall ensure that all instructional employees of the charter school have experience, training and skills appropriate to the instructional duties of the employee, and the charter school shall ensure that a criminal background check and child abuse registry check are conducted for each employee of the charter school prior to the hiring of the employee. **The charter school may not employ instructional personnel whose certificate of license to teach has been revoked or is currently suspended by the state board of education.** Appropriate experience, training and skills of noncertificated instructional personnel shall be determined considering:

- (1) Teaching certificates issued by another state or states;
- (2) Certification by the National Standards Board;
- (3) College degrees in the appropriate field;
- (4) Evidence of technical training and competence when such is appropriate; and
- (5) The level of supervision and coordination with certificated instructional staff.

3. Personnel employed by the charter school shall participate in the retirement system of the school district in which the charter school is located, subject to the same terms, conditions, requirements and other provisions applicable to personnel employed by the school district. For purposes of participating in the retirement system, the charter school shall be considered to be a public school within the school district, and personnel employed by the charter school shall be public school employees. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, RSMo, personnel employed by the charter school shall continue to participate in the retirement system and shall do so on the same terms, conditions, requirements and other provisions as they participated prior to the lapse.

4. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

5. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

6. A charter school shall be eligible for transportation state aid pursuant to section 163.161, RSMo, and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

7. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school district shall provide the special services provided pursuant to section 162.705, RSMo, and may provide the special services pursuant to a contract with a school district or any provider of such services.

8. A charter school may not charge tuition, nor may it impose fees that a school district is prohibited from imposing.

9. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355, RSMo.

10. Charter schools shall not have the power to acquire property by eminent domain.

11. The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body

if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.”; and

Further amend said bill, Section 167.332, Page 66, Line 19, by inserting after all of said line the following:

“167.349. In any school district to which any provisions of sections 167.340 to 167.346 apply and in which district charter schools may be established pursuant to section 160.400, RSMo, any state college or university which provides educational programs to any part of such district **and any campus of the state university located in a county of the third classification** may sponsor one or more charter schools pursuant to section 160.400, RSMo, and, in addition to the purposes for which charter schools may be established pursuant to sections 160.400 to 160.420, RSMo, such charter schools may be established to emphasize remediation of reading deficiencies.”; and

Further amend said bill, Section B, Page 86, Line 2, by deleting “160.415,” and inserting in lieu thereof the following:

“160.400, 160.405, 160.410, 160.415, 160.420,”; and

Further amend said bill, Section B, Page 86, Line 5, by inserting immediately after the figure “167.332,” the following: “167.349,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sanders Brooks, **House Amendment No. 9** was adopted.

Representative Fares offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 77, Section 1, Line 15, by inserting after all of said line the following:

“Section 2. Other provisions of law to the contrary notwithstanding, a transfer corporation formed pursuant to section 162.1060, RSMo, shall receive state aid as calculated in this section:

(1) For purposes of determining weighted average daily attendance pursuant to section 163.011, RSMo, and for the purposes of determining state aid pursuant to sections 163.031, 163.043, and 163.087, RSMo, and any other source of state aid distributed on a per-pupil basis, students attending a district other than their district of residence pursuant to a court-approved transfer program shall be credited to, and all related per pupil aid shall be paid to, the transfer corporation instead of to any other district. The weighted average daily attendance and state aid calculation for the transfer corporation shall be treated on the same basis as the calculation for a separate school district; and

(2) For the eighth year of operation and thereafter, the transfer corporation shall receive transportation state aid for each student that participates in the transfer program in the amount of one hundred fifty-five percent of the statewide average per pupil cost for transportation for the second preceding school year provided that such aid shall not exceed seventy-five percent of necessary transportation costs.”; and

Further amend said bill, Page 86, Section B, Line 2, by deleting “and 1” and inserting in lieu thereof the following: “1, and 2”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fares, **House Amendment No. 10** was adopted.

Representative LeVota offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 21, Section 163.011, Lines 279-280, by striking all of said lines and inserting in lieu thereof the following:

“be included in the state adequacy target in the subsequent year;”.

Representative LeVota moved that **House Amendment No. 11** be adopted.

Which motion was defeated.

Representative Stevenson offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 77, Section 1, Line 15, by inserting after all of said line the following:

“Section 2. No school district or individual school within any school district shall adopt any policy or procedure or permit any school-sponsored activity that advocates or supports any behavior that is punishable under a state criminal statute.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 12** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

Representative Johnson (90) offered **House Substitute Amendment No. 1 for House Amendment No. 12**.

*House Substitute Amendment No. 1
for
House Amendment No. 12*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 77, Section 1, Line 15, by inserting after all of said line the following:

“Section 2. No school district or individual school within any school district shall adopt any policy or procedure or permit any school-sponsored activity that advocates or supports any criminal behavior.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roark offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 12**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 12

AMEND House Substitute Amendment No. 1 for House Amendment No. 12 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 1, Section 2, Line 6, by inserting after the word “behavior”: “or homosexuality.”.

Speaker Jetton resumed the Chair.

On motion of Representative Roark, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 12** was adopted by the following vote:

AYES: 081

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Bringer	Brown 30	Bruns	Byrd
Casey	Chinn	Cooper 120	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Dethrow	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Franz	Guest	Hobbs	Hunter	Icet
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	May	McGhee
Munzlinger	Muschany	Nance	Nieves	Nolte
Parker	Parson	Phillips	Pollock	Pratt
Quinn	Rector	Roark	Robb	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Tilley	Wagner	Wallace
Wells	Wilson 130	Witte	Wright 137	Yates
Mr Speaker				

NOES: 047

Aull	Baker 25	Bland	Bowman	Brooks
Brown 50	Burnett	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fares
Fraser	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hubbard	Hughes	Johnson 47	Johnson 90
Jolly	Kratky	Lampe	LeVota	Liese
Low 39	Lowe 44	Meiners	Moore	Oxford
Page	Schlottach	Storch	Villa	Vogt
Walsh	Walton	Weter	Wildberger	Yaeger
Young	Zweifel			

PRESENT: 017

Dempsey	El-Amin	George	Johnson 61	Kuessner
Marsh	Pearce	Robinson	Schneider	Smith 14
Spreng	Threlkeld	Viebrock	Whorton	Wilson 119
Wood	Wright-Jones			

ABSENT WITH LEAVE: 017

Bean	Boykins	Cooper 155	Deeken	Denison
Dixon	Goodman	Jackson	Meadows	Myers
Portwood	Richard	Roorda	Rucker	Schoemehl
Wasson	Wright 159			

VACANCIES: 001

House Substitute Amendment No. 1 for House Amendment No. 12, as amended, was withdrawn.

House Amendment No. 12 was withdrawn.

Representative Wallace offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 2, Section 142.816, Lines 1 and 2, by striking said lines and inserting in lieu thereof the following:

“142.816. 1. Motor fuel sold to be used to operate buses to transport students to or from public school or to transport public school students”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wallace, **House Amendment No. 13** was adopted.

Representative Cooper (120) offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, Page 72, Section 168.515, Line 77, by inserting after all of said line the following:

"169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a retired certificated teacher receiving a retirement benefit from the retirement system established pursuant to sections 169.010 to 169.141 may, without losing his or her retirement benefit, teach full time for up to two years for a school district covered by such retirement system; provided that the school district has a shortage of certified teachers, as determined by the school district, **and provided that no such retired certificated teacher shall be employed as a superintendent**. The total number of such retired certificated teachers shall not exceed, at any one time, the lesser of ten percent of the total teacher staff for that school district, or five certificated teachers.

2. Notwithstanding any other provision of this chapter to the contrary, a person receiving a retirement benefit from the retirement system established pursuant to sections 169.600 to 169.715 may, without losing his or her retirement benefit, be employed full time for up to two years for a school district covered by such retirement system; provided that the school district has a shortage of noncertificated employees, as determined by the school district. The total number of such retired noncertificated employees shall not exceed, at any one time, the lesser of ten percent of the total noncertificated staff for that school district, or five employees.

3. The employer's contribution rate shall be paid by the hiring school district.

4. In order to hire teachers and noncertificated employees pursuant to the provisions of this section, the school district shall:

(1) Show a good faith effort to fill positions with nonretired certificated teachers or nonretired noncertificated employees;

- (2) Post the vacancy for at least one month;
 - (3) Have not offered early retirement incentives for either of the previous two years;
 - (4) Solicit applications through the local newspaper, other media, or teacher education programs;
 - (5) Determine there is an insufficient number of eligible applicants for the advertised position; and
 - (6) Declare a critical shortage of certificated teachers or noncertificated employees that is active for one year.
5. Any person hired pursuant to this section shall be included in the State Director of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bringer raised a point of order that **House Amendment No. 14** goes beyond the scope of the title of the bill.

The Chair ruled the point of order not well taken.

Representative Harris (23) moved that **HCS SS SCS SB 287, as amended**, be recommitted to the Committee on Fiscal Review pursuant to Rules 69 and 25.

Which motion was defeated.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Baker 123	Bean	Bearden	Behnen	Bivins
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes

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Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Black	Boykins	Brown 50	Myers
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VACANCIES: 001

Speaker Pro Tem Bearden resumed the Chair.

On motion of Representative Cooper (120), **House Amendment No. 14** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Iceet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner

Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Schneider

ABSENT WITH LEAVE: 004

Black	Boykins	Brown 50	Myers
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VACANCIES: 001

On motion of Representative Baker (123), **HCS SS SCS SB 287, as amended**, was adopted by the following vote:

AYES: 093

Baker 123	Bean	Bearden	Behnen	Black
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberger	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lipke	Loehner	Marsh	May	McGhee
Moore	Muschany	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Pratt	Quinn	Rector	Richard	Roark
Robb	Rucker	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 065

Aull	Avery	Baker 25	Bivins	Bland
Bowman	Bringer	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Hunter	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Munzlinger	Oxford	Page	Portwood	Robinson
Roorda	Salva	Schoemehl	Selby	Shoemyer

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Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 003

Boykins	Brown 50	Myers
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VACANCIES: 001

On motion of Representative Baker (123), **HCS SS SCS SB 287, as amended**, was read the third time and passed by the following vote:

AYES: 094

Baker 123	Bean	Bearden	Behnen	Black
Brown 30	Bruns	Byrd	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lipke	Loehner	Marsh	May	McGhee
Moore	Muschany	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 065

Aull	Avery	Baker 25	Bivins	Bland
Bowman	Bringer	Brooks	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fares	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Hunter	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Munzlinger	Oxford	Page	Robinson
Roorda	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins Brown 50 Myers

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 20 - Rules

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 2 - Fiscal Review (Fiscal Note)

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Lipke reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SBs 37, 322, 78, 351 & 424**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SJR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 2**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 196**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SS SB 362**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 177**: Senators Shields, Scott, Dolan, Callahan and Wheeler.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 233, as amended**: Senators Stouffer, Koster, Dolan, Callahan and Barnitz.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 353**, entitled:

An act to repeal sections 1.160, 8.177, 43.010, 43.120, 43.509, 43.532, 43.543, 195.017, 195.214, 211.031, 217.105, 217.705, 217.750, 302.321, 302.541, 304.022, 306.112, 306.114, 306.116, 306.117, 306.119, 306.140, 306.147, 367.031, 407.1355, 479.230, 542.276, 544.170, 545.550, 556.036, 558.016, 558.019, 559.016, 559.036, 559.115, 559.607, 565.081, 565.082, 565.083, 566.083, 567.080, 568.045, 568.050, 569.040, 569.080, 569.090, 570.030, 570.040, 570.080, 570.120, 570.145, 570.223, 570.255, 570.300, 573.503, 575.150, 575.270, 576.050, 577.023, 577.041, 577.500, 595.209, and 650.055, RSMo, and to enact in lieu thereof eighty-six new sections relating to crime, with penalty provisions, an emergency clause for certain sections, and a severability clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 5, Senate Amendment No. 1 to Senate Amendment No. 6, Senate Amendment No. 6, as amended, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14, Senate Amendment No. 16, Senate Amendment No. 17 and Senate Amendment No. 18.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Pages 7-8, Section 43.532, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 72, Section 407.1355, Line 1, by inserting after all of said line the following:

"407.1400. 1. Except as otherwise allowed by state or federal law, or unless consent has been provided as it is established in this section, financial institutions, their officers, employees, agents, and directors shall not disclose to any person any financial information relating to a customer.

2. A governmental agency or law enforcement agency may obtain customer information from a financial institution pursuant to a judicial or administrative subpoena duces tecum served on the financial institution, if there is reason to believe that the customer information sought is relevant to a proper law enforcement objective or is otherwise authorized by law.

3. A governmental agency or law enforcement agency may obtain customer information from a financial institution pursuant to a search warrant if it obtains the search warrant under the rules of criminal procedure of this state.

4. No consent or waiver shall be required as a condition of doing business with any financial institution, and any consent or waiver obtained from a customer as a condition of doing business with a financial institution shall not be deemed a consent of the customer for the purpose of this section.

5. Valid consent shall be in writing and signed by the customer. In consenting to disclosure of customer information, a customer may specify any of the following:

- (1) The time during which such consent will operate;
- (2) The customer information to be disclosed; and
- (3) The persons, government agencies, or law enforcement agencies to which disclosure can be made.

407.1403. 1. Any person or business that conducts business in this state and that owns or licenses computerized data that includes personal information, shall disclose any breach of the security of the system following discovery or notification of the breach. Notification shall be made to any resident of the state whose encrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. The disclosure shall be made in the most expedient time possible, but no more than thirty days after such breach has been discovered.

2. The notification required by this section may be delayed if a law enforcement agency determines that the notification will impede a criminal investigation.

3. For purposes of this section, "breach of security of the system" shall mean unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of personal information maintained by the business or person. Good faith acquisition of personal information by an employee or agent of the business for the purposes of the business shall not be considered a breach of security of the system, provided that the personal information is not used or subject to further unauthorized disclosure.

4. For purposes of this section, "personal information" means an individual's first name or first initial and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted:

- (1) Social security number;
 - (2) Driver's license number;
 - (3) Account number, credit card number, or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.
- For purposes of this section, "personal information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

5. For purposes of this section, "notice" may be provided by one of the following methods:

- (1) Written notice;
- (2) Electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in Section 7001 of Title 15 of the United States Code;
- (3) Substitute notice, if the agency demonstrates that the cost of providing notice would exceed two hundred fifty thousand dollars, that the affected class of subject persons to be notified exceeds five hundred thousand, or the agency does not have sufficient contact information. Substitute notice shall consist of all of the following:

- (a) E-mail notice when the agency has an e-mail address for the subject persons;
- (b) Conspicuous posting of the notice on the agency's website, if the agency maintains one; and
- (c) Notification to major statewide media.

6. Notwithstanding subsection 5 of this section, an agency that maintains its own notification procedures as part of an information security policy for the treatment of personal information and is otherwise consistent with the timing requirements of this part shall be deemed to be in compliance with the notification requirements

of this section if it notifies subject persons in accordance with its policies in the event of a breach of security of the system.

7. Any person or business who violates the provisions of this section shall be guilty of a class A misdemeanor and, upon conviction, shall be punished by a fine of up to one thousand dollars for each and every act or violation, by imprisonment in the county jail for a term not to exceed one year, or by both at the discretion of the court.

407.1406. 1. A consumer may elect to place a security alert in his or her credit report by making a request in writing or by telephone to a consumer credit reporting agency. "Security alert" means a notice placed in a consumer's credit report, at the request of the consumer, that notifies a recipient of the credit report that the consumer's identity may have been used without the consumer's consent to fraudulently obtain goods or services in the consumer's name.

2. A consumer credit reporting agency shall notify each person requesting consumer credit information with respect to a consumer of the existence of a security alert in the credit report of that consumer, regardless of whether a full credit report, credit score, or summary report is requested.

3. Each consumer credit reporting agency shall maintain a toll-free telephone number to accept security alert requests from consumers twenty-four hours a day, seven days a week.

4. The toll-free telephone number shall be included in any written disclosure by a consumer credit reporting agency to any consumer pursuant to section 407.1421 and shall be printed in a clear and conspicuous manner.

5. A consumer credit reporting agency shall place a security alert on a consumer's credit report no later than five business days after receiving a request from the consumer.

6. The security alert shall remain in place for at least 90 days, and a consumer shall have the right to request a renewal of the security alert.

407.1409. 1. A consumer may elect to place a security freeze on his or her credit report by making a request in writing by certified mail to a consumer credit reporting agency. "Security freeze" means a notice placed in a consumer's credit report, at the request of the consumer and subject to certain exceptions, that prohibits the consumer credit reporting agency from releasing the consumer's credit report or any information from it without the express authorization of the consumer. If a security freeze is in place, information from a consumer's credit report may not be released to a third party without prior express authorization from the consumer. This subsection does not prevent a consumer credit reporting agency from advising a third party that a security freeze is in effect with respect to the consumer's credit report.

2. A consumer credit reporting agency shall place a security freeze on a consumer's credit report no later than five business days after receiving a written request from the consumer.

3. The consumer credit reporting agency shall send a written confirmation of the security freeze to the consumer within ten business days and shall provide the consumer with a unique personal identification number or password to be used by the consumer when providing authorization for the release of his or her credit for a specific party or period of time.

4. If the consumer wishes to allow his or her credit report to be accessed for a specific party or period of time while a freeze is in place, he or she shall contact the consumer credit reporting agency, request that the freeze be temporarily lifted, and provide the following:

(1) Proper identification, as defined in subsection 3 of section 407.1421.

(2) The unique personal identification number or password provided by the credit reporting agency pursuant to subdivision (c).

(3) The proper information regarding the third party who is to receive the credit report or the time period for which the report shall be available to users of the credit report.

5. A consumer credit reporting agency that receives a request from a consumer to temporarily lift a freeze on a credit report pursuant to subsection 4 of this section, shall comply with the request no later than three business days after receiving the request.

6. A consumer credit reporting agency may develop procedures involving the use of telephone, fax, the Internet, or other electronic media to receive and process a request from a consumer to temporarily lift a freeze on a credit report pursuant to subsection 4 of this section in an expedited manner.

7. A consumer credit reporting agency shall remove or temporarily lift a freeze placed on a consumer's credit report only in the following cases:

(1) Upon consumer request, pursuant to subsection 4 or 10 of this section;

(2) If the consumer's credit report was frozen due to a material misrepresentation of fact by the consumer. If a consumer credit reporting agency intends to remove a freeze upon a consumer's credit report pursuant to this subdivision, the consumer credit reporting agency shall notify the consumer in writing prior to removing the freeze on the consumer's credit report.

8. If a third party requests access to a consumer credit report on which a security freeze is in effect, and this request is in connection with an application for credit or any other use, and the consumer does not allow his or her credit report to be accessed for that specific party or period of time, the third party may treat the application as incomplete.

9. If a consumer requests a security freeze, the consumer credit reporting agency shall disclose the process of placing and temporarily lifting a freeze, and the process for allowing access to information from the consumer's credit report for a specific party or period of time while the freeze is in place.

10. A security freeze shall remain in place until the consumer requests that the security freeze be removed. A consumer credit reporting agency shall remove a security freeze within three business days of receiving a request for removal from the consumer, who provides both of the following:

- (1) Proper identification, as defined in subsection 3 of section 407.1421;
- (2) The unique personal identification number or password provided by the credit reporting agency pursuant to subsection 3 of this section.

11. A consumer credit reporting agency shall require proper identification, as defined in subsection 3 of section 407.1421, of the person making a request to place or remove a security freeze.

12. The provisions of this section do not apply to the use of a consumer credit report by any of the following:

- (1) A person or entity, or a subsidiary, affiliate, or agent of that person or entity, or an assignee of a financial obligation owing by the consumer to that person or entity, or a prospective assignee of a financial obligation owing by the consumer to that person or entity in conjunction with the proposed purchase of the financial obligation, with which the consumer has or had prior to assignment an account or contract, including a demand deposit account, or to whom the consumer issued a negotiable instrument, for the purposes of reviewing the account or collecting the financial obligation owing for the account, contract, or negotiable instrument. For purposes of this paragraph, "reviewing the account" includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements;

- (2) A subsidiary, affiliate, agent, assignee, or prospective assignee of a person to whom access has been granted under subdivision (2) of subsection 4 of this section for purposes of facilitating the extension of credit or other permissible use;

- (3) Any state or local agency, law enforcement agency, trial court, or private collection agency acting pursuant to a court order, warrant, or subpoena;

- (4) A child support agency;

- (5) The department of health and senior services or its agents or assigns acting to investigate Medicaid fraud;

- (6) The state tax commission or its agents or assigns acting to investigate or collect delinquent taxes or unpaid court orders or to fulfill any of its other statutory responsibilities;

- (7) The use of credit information for the purposes of prescreening as provided for by the federal Fair Credit Reporting Act;

- (8) Any person or entity administering a credit file monitoring subscription service to which the consumer has subscribed;

- (9) Any person or entity for the purpose of providing a consumer with a copy of his or her credit report upon the consumer's request.

13. This act does not prevent a consumer credit reporting agency from charging a fee of no more than ten dollars to a consumer for each freeze, removal of the freeze, or temporary lift of the freeze for a period of time, or a fee of no more than twelve dollars for a temporary lift of a freeze for a specific party, regarding access to a consumer credit report, except that a consumer credit reporting agency may not charge a fee to a victim of identity theft who has submitted a valid police report.

407.1412. 1. If a security freeze is in place, a consumer credit reporting agency shall not change any of the following official information in a consumer credit report without sending a written confirmation of the change to the consumer within thirty days of the change being posted to the consumer's file: name, date of birth, social security number, and address. Written confirmation is not required for technical modifications of a consumer's official information, including name and street abbreviations, complete spellings, or transposition of

numbers or letters. In the case of an address change, the written confirmation shall be sent to both the new address and to the former address.

2. If a consumer has placed a security alert, a consumer credit reporting agency shall provide the consumer, upon request, with a free copy of his or her credit report at the time the ninety-day security alert period expires.

407.1415. The provisions of sections 407.1406 to 407.1412 do not apply to a consumer credit reporting agency that acts only as a reseller of credit information by assembling and merging information contained in the data base of another consumer credit reporting agency or multiple consumer credit reporting agencies, and does not maintain a permanent data base of credit information from which new consumer credit reports are produced. However, a consumer credit reporting agency shall honor any security freeze placed on a consumer credit report by another consumer credit reporting agency.

407.1418. The following entities are not required to place in a credit report either a security alert, pursuant to section 407.1406, or a security freeze, pursuant to section 407.1409:

(1) A check services or fraud prevention services company, which issues reports on incidents of fraud or authorizations for the purpose of approving or processing negotiable instruments, electronic funds transfers, or similar methods of payments;

(2) A deposit account information service company, which issues reports regarding account closures due to fraud, substantial overdrafts, ATM abuse, or similar negative information regarding a consumer, to inquiring banks or other financial institutions for use only in reviewing a consumer request for a deposit account at the inquiring bank or financial institution.

407.1421. A consumer credit reporting agency shall supply files and information required during normal business hours and on reasonable notice. In addition to the disclosure provided by this chapter and any disclosures received by the consumer, the consumer has the right to request and receive all of the following:

(1) Either a decoded written version of the file or a written copy of the file, including all information in the file at the time of the request, with an explanation of any code used;

(2) A credit score for the consumer, the key factors, and the related information, as defined in and required by this subsection;

(3) A record of all inquiries, by recipient, which result in the provision of information concerning the consumer in connection with a credit transaction that is not initiated by the consumer and which were received by the consumer credit reporting agency in the twelve-month period immediately preceding the request for disclosure under this section;

(4) The recipients, including end users of any consumer credit report on the consumer which the consumer credit reporting agency has furnished:

(a) For employment purposes within the two-year period preceding the request;

(b) For any other purpose within the twelve-month period preceding the request.

Identification for purposes of this subdivision shall include the name of the recipient or, if applicable, the fictitious business name under which the recipient does business disclosed in full. If requested by the consumer, the identification shall also include the address of the recipient.

(5) Files maintained on a consumer shall be disclosed promptly as follows:

(a) In person, at the location where the consumer credit reporting agency maintains the trained personnel required by this subdivision, if he or she appears in person and furnishes proper identification;

(b) By mail, if the consumer makes a written request with proper identification for a copy of the file or a decoded written version of that file to be sent to the consumer at a specified address. A disclosure pursuant to this subdivision shall be deposited in the United States mail, postage prepaid, within five business days after the consumer's written request for the disclosure is received by the consumer credit reporting agency. Consumer credit reporting agencies complying with requests for mailings under this section shall not be liable for disclosures to third parties caused by mishandling of mail after the mailings leave the consumer credit reporting agencies;

(c) A summary of all information contained in files on a consumer and required to be provided shall be provided by telephone, if the consumer has made a written request, with proper identification for telephone disclosure;

(d) Information in a consumer's file required to be provided in writing under this section may also be disclosed in another form if authorized by the consumer and if available from the consumer credit reporting

agency. For this purpose a consumer may request disclosure in person by telephone upon disclosure of proper identification by the consumer, by electronic means if available from the consumer credit reporting agency, or by any other reasonable means that is available from the consumer credit reporting agency.

(6) "Proper identification," as used in this section means that information generally deemed sufficient to identify a person. Only if the consumer is unable to reasonably identify himself or herself with the information described above, may a consumer credit reporting agency require additional information concerning the consumer's employment and personal or family history in order to verify his or her identity;

(7) The consumer credit reporting agency shall provide trained personnel to explain to the consumer any information furnished him or her;

(8) The consumer shall be permitted to be accompanied by one other person of his or her choosing, who shall furnish reasonable identification. A consumer credit reporting agency may require the consumer to furnish a written statement granting permission to the consumer credit reporting agency to discuss the consumer's file in that person's presence;

(9) Any written disclosure by a consumer credit reporting agency to any consumer pursuant to this section shall include a written summary of all rights the consumer has under this title and in the case of a consumer credit reporting agency which compiles and maintains consumer credit reports on a nationwide basis, a toll-free telephone number which the consumer can use to communicate with the consumer credit reporting agency. The written summary of rights required under this subdivision is sufficient if in substantially the following form:

"You have a right to obtain a copy of your credit file from a consumer credit reporting agency. You may be charged a reasonable fee not exceeding eight dollars (\$8). There is no fee, however, if you have been turned down for credit, employment, insurance, or a rental dwelling because of information in your credit report within the preceding 60 days. The consumer credit reporting agency must provide someone to help you interpret the information in your credit file.

You have a right to dispute inaccurate information by contacting the consumer credit reporting agency directly. However, neither you nor any credit repair company or credit service organization has the right to have accurate, current, and verifiable information removed from your credit report. Under the Federal Fair Credit Reporting Act, the consumer credit reporting agency must remove accurate, negative information from your report only if it is over seven years old. Bankruptcy information can be reported for 10 years.

If you have notified a consumer credit reporting agency in writing that you dispute the accuracy of information in your file, the consumer credit reporting agency must then, within 30 business days, reinvestigate and modify or remove inaccurate information. The consumer credit reporting agency may not charge a fee for this service. Any pertinent information and copies of all documents you have concerning an error should be given to the consumer credit reporting agency.

If reinvestigation does not resolve the dispute to your satisfaction, you may send a brief statement to the consumer credit reporting agency to keep in your file, explaining why you think the record is inaccurate. The consumer credit reporting agency must include your statement about disputed information in a report it issues about you.

You have a right to receive a record of all inquiries relating to a credit transaction initiated in 12 months preceding your request. This record shall include the recipients of any consumer credit report.

You may request in writing that the information contained in your file not be provided to a third party for marketing purposes. You have a right to place a "security alert" in your credit report, which will warn anyone who receives information in your credit report that your identity may have been used without your consent. Recipients of your credit report are required to take reasonable steps, including contacting you at the telephone number you may provide with your security alert, to verify your identity prior to lending money, extending credit, or completing the purchase, lease, or rental of goods or services. The security alert may prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that taking advantage of this right may delay or interfere with the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, insurance, rental housing, employment, investment, license, cellular phone, utilities, digital signature, Internet credit card transaction, or other services, including an extension of

credit at point of sale. If you place a security alert on your credit report, you have a right to obtain a free copy of your credit report at the time the 90-day security alert period expires. A security alert may be requested by calling the following toll-free telephone number: (Insert applicable toll-free telephone number).

You have a right to place a "security freeze" on your credit report, which will prohibit a consumer credit reporting agency from releasing any information in your credit report without your express authorization. A security freeze must be requested in writing by certified mail. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, insurance, government services or payments, rental housing, employment, investment, license, cellular phone, utilities, digital signature, Internet credit card transaction, or other services, including an extension of credit at point of sale. When you place a security freeze on your credit report, you will be provided a personal identification number or password to use if you choose to remove the freeze on your credit report or authorize the release of your credit report for a specific party or period of time after the freeze is in place. To provide that authorization you must contact the consumer credit reporting agency and provide all of the following:

- (1) The personal identification number or password.
- (2) Proper identification to verify your identity.
- (3) The proper information regarding the third party who is to receive the credit report or the period of time for which the report shall be available.

A consumer credit reporting agency must authorize the release of your credit report no later than three business days after receiving the above information.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account, that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

You have a right to bring civil action against anyone, including a consumer credit reporting agency, who improperly obtains access to a file, knowingly or willfully misuses file data, or fails to correct inaccurate file data.""; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 147, Section 578.500, Line 11, by inserting after all of said line the following:

"590.040. 1. The POST commission shall set the minimum number of hours of basic training for licensure as a peace officer no lower than four hundred seventy and no higher than six hundred, with the following exceptions:

(1) Up to one thousand hours may be mandated for any class of license required for commission by a state law enforcement agency;

(2) As few as one hundred twenty hours may be mandated for any class of license restricted to commission as a reserve peace officer with police powers limited to the commissioning political subdivision;

(3) Persons validly licensed on August 28, 2001, may retain licensure without additional basic training;

(4) Persons licensed and commissioned within a county of the third classification before July 1, 2002, may retain licensure with one hundred twenty hours of basic training if the commissioning political subdivision has adopted an order or ordinance to that effect; [and]

(5) Persons commissioned and serving as a reserve peace officer within a county of the first classification on August 28, 2001, having previously completed a minimum of one hundred sixty hours of training, shall be granted a license necessary to function as a reserve peace officer; and

(6) The POST commission shall provide for the recognition of basic training received at law enforcement training centers of other states, the military, the federal government and territories of the United States regardless of the

number of hours included in such training and shall have authority to require supplemental training as a condition of eligibility for licensure.

2. The director shall have the authority to limit any exception provided in subsection 1 of this section to persons remaining in the same commission or transferring to a commission in a similar jurisdiction.

3. The basic training of every peace officer, except agents of the conservation commission, shall include at least thirty hours of training in the investigation and management of cases involving domestic and family violence. Such training shall include instruction, specific to domestic and family violence cases, regarding: report writing; physical abuse, sexual abuse, child fatalities and child neglect; interviewing children and alleged perpetrators; the nature, extent and causes of domestic and family violence; the safety of victims, other family and household members and investigating officers; legal rights and remedies available to victims, including rights to compensation and the enforcement of civil and criminal remedies; services available to victims and their children; the effects of cultural, racial and gender bias in law enforcement; and state statutes. Said curriculum shall be developed and presented in consultation with the department of health and senior services, the division of family services, public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 38, Section 195.017, Line 21 of said page, by inserting immediately after said line the following:

"195.060. 1. Except as provided in subsection 3 of this section, a pharmacist, in good faith, may sell and dispense controlled substances to any person only upon a prescription of a practitioner as authorized by statute, provided that the controlled substances listed in Schedule V may be sold without prescription in accordance with regulations of the department of health and senior services. All written prescriptions shall be signed by the person prescribing the same. All prescriptions shall be dated on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is prescribed, and the full name, address, and the registry number under the federal controlled substances laws of the person prescribing, if he is required by those laws to be so registered. If the prescription is for an animal, it shall state the species of the animal for which the drug is prescribed. The person filling the prescription shall **either** write the date of filling and his own signature on the prescription **or retain the date of filling and the identity of the dispenser as electronic prescription information**. The prescription **or electronic prescription information** shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this law. No prescription for a drug in Schedule I or II shall be filled more than six months after the date prescribed; no prescription for a drug in schedule I or II shall be refilled; no prescription for a drug in Schedule III or IV shall be filled or refilled more than six months after the date of the original prescription or be refilled more than five times unless renewed by the practitioner.

2. The legal owner of any stock of controlled substances in a pharmacy, upon discontinuance of dealing in such drugs, may sell the stock to a manufacturer, wholesaler, or pharmacist, but only on an official written order.

3. A pharmacist, in good faith, may sell and dispense, any Schedule II drug or drugs to any person, in emergency situations as defined by rule of the department of health and senior services upon an oral prescription by an authorized practitioner.

4. It shall be unlawful for controlled substances to be promoted or advertised for use or sale, provided that this subsection shall not prohibit such activity by a manufacturer, wholesaler, or their agents directed to a physician, pharmacist or other practitioner.

5. Except where a bona fide physician-patient-pharmacist relationship exists, prescriptions for narcotics or hallucinogenic drugs shall not be delivered to or for an ultimate user or agent by mail or other common carrier.

195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided, sections 195.005 to 195.425 shall not apply to the following cases: Prescribing, administering, dispensing or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain controlled substances in such combinations of drugs as to prevent the drugs from being readily extracted from such liniments, ointments, or preparations, except that sections 195.005 to 195.425 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or combination.

2. The quantity of Schedule II controlled substances prescribed or dispensed at any one time shall be limited to a thirty-day supply. The quantity of Schedule III, IV or V controlled substances prescribed or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed in compliance with the general provisions of sections 195.005 to 195.425. The supply limitations provided in this subsection may be increased up to three months if the physician describes on the prescription form **or indicates via telephone, facsimile, or electronic communication to the pharmacy for entry on or attached to the prescription form** the medical reason for requiring the larger supply.

3. The partial filling of a prescription for a Schedule II substance is permissible as defined by regulation by the department of health and senior services."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 81, Section 556.036, Line 18, by inserting after all of said line the following:

"557.036. 1. **Subject to the limitation provided in subsection 3 of this section**, upon a finding of guilt upon verdict or plea, the court shall decide the extent or duration of sentence or other disposition to be imposed under all the circumstances, having regard to the nature and circumstances of the offense and the history and character of the defendant and render judgment accordingly.

2. [Where an offense is submitted to the jury, the trial shall proceed in two stages. At the first stage, the jury shall decide only whether the defendant is guilty or not guilty of any submitted offense. The issue of punishment shall not be submitted to the jury at the first stage.

3. If the jury at the first stage of a trial finds the defendant guilty of the submitted offense, the second stage of the trial shall proceed. The issue at the second stage of the trial shall be the punishment to be assessed and declared. Evidence supporting or mitigating punishment may be presented. Such evidence may include, within the discretion of the court, evidence concerning the impact of the crime upon the victim, the victim's family and others, the nature and circumstances of the offense, and the history and character of the defendant. Rebuttal and surrebuttal evidence may be presented. The state shall be the first to proceed. The court shall instruct the jury as to the range of punishment authorized by statute for each submitted offense. The attorneys may argue the issue of punishment to the jury, and the state shall have the right to open and close the argument. The jury shall assess and declare the punishment as authorized by statute.

4. A second stage of the trial shall not proceed and the court, and not the jury, shall assess punishment if] **The court shall instruct the jury as to the range of punishment as part of the verdict, unless:**

(1) The defendant requests in writing, prior to voir dire, that the court assess the punishment in case of a finding of guilt; or

(2) The state pleads and proves the defendant is a prior offender, persistent offender, dangerous offender, or persistent misdemeanor offender as defined in section 558.016, RSMo, a persistent sexual offender as defined in section 558.018, RSMo, or a predatory sexual offender as defined in section 558.018, RSMo.

If the jury **finds the defendant guilty but** cannot agree on the punishment to be assessed, the court shall proceed as provided in subsection 1 of this section. If[,] **there be a trial by jury and the jury is to assess punishment and if** after due deliberation by the jury[,] the court finds the jury cannot agree on punishment, then the court may instruct the jury that if it cannot agree on punishment that **it may return its verdict without assessing punishment and** the court will assess punishment.

[5.] **3.** If the jury returns a verdict of guilty [in the first stage] and declares a term of imprisonment [in the second stage] **as provided in subsection 2 of this section**, the court shall proceed as provided in subsection 1 of this section except that any term of imprisonment imposed cannot exceed the term declared by the jury unless the term declared by the jury is less than the authorized lowest term for the offense, in which event the court cannot impose a term of imprisonment greater than the lowest term provided for the offense.

[6.] **4.** If the defendant is found to be a prior offender, persistent offender, dangerous offender or persistent misdemeanor offender as defined in section 558.016, RSMo:

(1) If he has been found guilty of an offense, the court shall proceed as provided in section 558.016, RSMo; or

(2) If he has been found guilty of a class A felony, the court may impose any sentence authorized for the class A felony.

[7.] **5.** The court shall not seek an advisory verdict from the jury in cases of prior offenders, persistent offenders, dangerous offenders, persistent sexual offenders or predatory sexual offenders; if an advisory verdict is rendered, the court shall not deem it advisory, but shall consider it as mere surplusage."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1
to
Senate Amendment No. 6*

AMEND Senate Amendment No. 6 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 3, Section 557.036, Line 2, by inserting immediately after the second use of the word "punishment" the following:

", except that the court shall not assess capital punishment".

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353 Page 101, Section 565.083, Line 25 of said page by inserting after all of said line the following:

"565.252. 1. A person commits the crime of invasion of privacy in the first degree if such person:

(1) Knowingly photographs or films another person, without the person's knowledge and consent, while the person being photographed or filmed is in a state of full or partial nudity and is in a place where one would have a reasonable expectation of privacy, and the person subsequently distributes the photograph or film to another or transmits the image contained in the photograph or film in a manner that allows access to that image via a computer; or

(2) Knowingly disseminates or permits the dissemination by any means, to another person, of a videotape, photograph, or film obtained in violation of subdivision (1) of this subsection or in violation of section 565.253; **or**

(3) Knowingly videotapes, films, photographs, or otherwise records another person, in a secret or surreptitious manner, under or through the clothing being worn by such person for the purpose of viewing the body of, or the undergarments worn by, such person.

2. Invasion of privacy in the first degree is a class D felony."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 103, Section 566.086, Line 9 of said page, by inserting after all of said line the following:

"566.200. As used in sections 566.200 to [566.218] **566.221**, the following terms shall mean:

(1) **"Basic rights information", information applicable to a noncitizen, including but not limited to, information about human rights, immigration, emergency assistance and resources, and the legal rights and resources for victims of domestic violence;**

(2) **"Client", a person who is a resident of the United States and the state of Missouri and who contracts with an international marriage broker to meet recruits;**

(3) **"Commercial sex act", any sex act on account of which anything of value is given to or received by any person;**

(4) **"Criminal history record information", criminal history record information, including information provided in a criminal background check, obtained from the Missouri state highway patrol and the Federal Bureau of Investigation;**

(5) **"International marriage broker",**

(a) A corporation, partnership, business, individual, or other legal entity, whether or not organized under any law of the United States or any other state, that charges fees to residents of Missouri for providing

dating, matrimonial, or social referrals or matching services between United States citizens or residents and non-resident aliens by providing information or a forum that would permit individuals to contact each other. Such contact shall include, but is not limited to:

a. Providing the name, telephone number, postal address, electronic mail address, or voice message mailbox of an individual, or otherwise facilitating communication between individuals; or

b. Providing an opportunity for an in-person meeting.

(b) Such term shall not include:

a. A traditional matchmaking organization of a religious nature that operates on a nonprofit basis and otherwise operates in compliance with the laws of the countries in which it operates, including the laws of the United States;

b. An entity that provides dating services between United States citizens or residents and other individuals who may be aliens, but does not do so as its principal business, and charges comparable rates to all individuals it serves regardless of the gender or country of citizenship or residence of the individual; or

c. An organization that does not charge a fee to any party for the services provided.

[(2)] (6) "Involuntary servitude or forced labor", a condition of servitude induced by means of:

(a) Any scheme, plan, or pattern of behavior intended to cause a person to believe that, if the person does not enter into or continue the servitude, such person or another person will suffer substantial bodily harm or physical restraint; or

(b) The abuse or threatened abuse of the legal process;

(7) "Marital history information", a declaration of the person's current marital status, the number of times the person has previously been married, and whether any previous marriages occurred as a result of service from an international marriage broker;

[(3)] (8) "Peonage", illegal and involuntary servitude in satisfaction of debt;

(9) "Recruit", a non-citizen, non-resident, recruited by an international marriage broker for the purpose of providing dating, matrimonial, or social referral services.

566.221. 1. An international marriage broker shall provide notice to each recruit that the criminal history record information and marital history information of clients and basic rights information are available from the organization. The notice of the availability of such information must be in a conspicuous location, in the recruit's native language, in lettering that is at least one-quarter of an inch in height, and presented in a manner that separates the different types of information available.

2. An international marriage broker shall disseminate to a recruit the criminal history record information and marital history information of a client and basic rights information no later than thirty days after the date the international marriage broker receives the criminal history record information and the marital history information on the client. Such information must be provided in the recruit's native language and the organization shall pay the costs incurred to translate the information.

3. A client of an international marriage broker shall:

(1) Obtain a copy of his or her own criminal history record information;

(2) Provide the criminal history record information to the international marriage broker; and

(3) Provide to the international marriage broker his or her own marital history information.

4. An international marriage broker shall require the client to affirm that the marital history information is complete and accurate and includes information regarding marriages, annulments, and dissolutions that occurred in another state or foreign country.

5. An international marriage broker shall not provide any further services to the client or the recruit until the organization has obtained the required criminal history record information and marital history information and provided the information to the recruit.

6. An international marriage broker shall be deemed to be doing business in Missouri if it contracts for matchmaking services with a Missouri resident or is considered to be doing business pursuant to other laws of the state.

7. A person who pleads guilty to or is found guilty of violating the provisions of this section shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo, unless such person is otherwise required to register pursuant to the provisions of such section.

8. It shall be a class D felony to wilfully provide incomplete or false information pursuant to this section.

9. Failure to provide the information and notice required pursuant to this section shall be a class D felony.

10. No provision of this section shall preempt any other right or remedy available under law to any party utilizing the services of an international marriage broker or other international marriage organization.

566.223. Any individual who is alleging that a violation of sections 566.200 to [566.218] **566.221** has occurred against his or her person shall be afforded the rights and protections provided in the federal Trafficking Victims Protection Act of 2000, Public Law 106-386, as amended."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 73, Section 479.230, Line 27, by inserting immediately after said line the following:

"488.2350. 1. An "Alternative Dispute Resolution Fund" may be established by local court rule in any circuit that has not established a family court pursuant to section 487.010, RSMo. Upon the establishment of such fund, in addition to all other court costs prescribed by law, a surcharge in the amount of thirty dollars shall be assessed in all proceedings filed that would otherwise be under the jurisdiction of a family court under section 487.080, RSMo. The surcharge shall not be charged when no court costs are otherwise required, or in any proceeding when costs are waived, or when the costs are to be paid by the state, county, or municipality. The surcharge shall not be charged to a government agency or against the petitioner for actions filed pursuant to chapter 455, RSMo, but may be charged to the respondent in such actions. All sums collected pursuant to this section shall be payable to the various alternative dispute resolution funds as established.

2. The fund shall be expended for the purpose of providing alternative dispute resolution services to those parties in proceedings that would otherwise be under the jurisdiction of a family court pursuant to section 487.080, RSMo, and to fund an alternative dispute resolution program specialist or similar position to plan, develop, implement, and evaluate an alternative dispute resolution program. Expenditures shall be made at the discretion of the presiding judge for the implementation of the alternative dispute resolution programs as set forth in this section.

3. Circuits may enter into a multi-circuit agreement to jointly hire the alternative dispute resolution program specialist or similar position, to fund the position from their various dispute resolution funds, and to establish uniform rules and procedures for the administration of the program or programs providing alternative dispute resolution services. Such agreements shall be authorized, executed, and entered into by and between the presiding judge of each circuit which is a party to the agreement.

4. Any moneys in the alternative dispute resolution fund shall not replace or reduce the current and ongoing responsibilities of the counties to provide funding for the courts as required by law.

5. From the funds collected pursuant to this section and retained in the alternative dispute resolution fund, each circuit or county in which an alternative dispute resolution program specialist or similar position has been appointed, shall pay to and reimburse the state for the actual costs of that portion of the salaries of alternative dispute resolution program specialists or similar positions."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 16, Section 67.2552, Line 13, by inserting immediately after said line the following:

"105.711. 1. There is hereby created a "State Legal Expense Fund" which shall consist of moneys appropriated to the fund by the general assembly and moneys otherwise credited to such fund pursuant to section 105.716.

2. Moneys in the state legal expense fund shall be available for the payment of any claim or any amount required by any final judgment rendered by a court of competent jurisdiction against:

(1) The state of Missouri, or any agency of the state, pursuant to section 536.050 or 536.087, RSMo, or section 537.600, RSMo;

(2) Any officer or employee of the state of Missouri or any agency of the state, including, without limitation, elected officials, appointees, members of state boards or commissions, and members of the Missouri national guard upon

conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state, or any agency of the state, provided that moneys in this fund shall not be available for payment of claims made under chapter 287, RSMo; or

(3) (a) Any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337 or 338, RSMo, who is employed by the state of Missouri or any agency of the state, under formal contract to conduct disability reviews on behalf of the department of elementary and secondary education or provide services to patients or inmates of state correctional facilities [or county jails] on a part-time basis, **and any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337, or 338, RSMo, who is under formal contract to provide services to patients or inmates at a county jail on a part-time basis;**

(b) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334, RSMo, and his professional corporation organized pursuant to chapter 356, RSMo, who is employed by or under contract with a city or county health department organized under chapter 192, RSMo, or chapter 205, RSMo, or a city health department operating under a city charter, or a combined city-county health department to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract without compensation or the physician is paid from no other source than a governmental agency except for patient co-payments required by federal or state law or local ordinance;

(c) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334, RSMo, who is employed by or under contract with a federally funded community health center organized under Section 315, 329, 330 or 340 of the Public Health Services Act (42 U.S.C. 216, 254c) to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract or employment agreement without compensation or the physician is paid from no other source than a governmental agency or such a federally funded community health center except for patient co-payments required by federal or state law or local ordinance. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of one million dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause against any such physician, and shall not exceed one million dollars for any one claimant;

(d) Any physician licensed pursuant to chapter 334, RSMo, who is affiliated with and receives no compensation from a nonprofit entity qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, which offers a free health screening in any setting or any physician, nurse, physician assistant, dental hygienist, or dentist licensed or registered pursuant to chapter 332, RSMo, chapter 334, RSMo, or chapter 335, RSMo, who provides medical, dental, or nursing treatment within the scope of his license or registration at a city or county health department organized under chapter 192, RSMo, or chapter 205, RSMo, a city health department operating under a city charter, or a combined city-county health department, or a nonprofit community health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, if such treatment is restricted to primary care and preventive health services, provided that such treatment shall not include the performance of an abortion, and if such medical, dental, or nursing services are provided by the physician, dentist, physician assistant, dental hygienist, or nurse without compensation. Medicaid or medicare payments for primary care and preventive health services provided by a physician, dentist, physician assistant, dental hygienist, or nurse who volunteers at a free health clinic is not compensation for the purpose of this section if the total payment is assigned to the free health clinic. For the purposes of the section, "free health clinic" means a nonprofit community health center qualified as exempt from federal taxation under Section 501 (c)(3) of the Internal Revenue Code of 1987, as amended, that provides primary care and preventive health services to people without health insurance coverage for the services provided without charge. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars. Liability or malpractice insurance obtained and maintained in force by or on behalf of any physician, dentist, physician assistant, dental hygienist, or nurse shall not be considered available to pay that portion of a judgment or claim for which the state legal expense fund is liable under this paragraph; or

(e) Any physician, nurse, physician assistant, dental hygienist, or dentist licensed or registered to practice medicine, nursing, or dentistry or to act as a physician assistant or dental hygienist in Missouri under the provisions of chapter 332, RSMo, chapter 334, RSMo, or chapter 335, RSMo, who provides medical, nursing, or dental treatment within the scope of his license or registration to students of a school whether a public, private, or parochial elementary

or secondary school, if such physician's treatment is restricted to primary care and preventive health services and if such medical, dental, or nursing services are provided by the physician, dentist, physician assistant, dental hygienist, or nurse without compensation. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars; or

(4) Staff employed by the juvenile division of any judicial circuit; or

(5) Any attorney licensed to practice law in the state of Missouri who practices law at or through a nonprofit community social services center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or through any agency of any federal, state, or local government, if such legal practice is provided by the attorney without compensation. In the case of any claim or judgment that arises under this subdivision, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars.

3. The department of health and senior services shall promulgate rules regarding contract procedures and the documentation of care provided under paragraphs (b), (c), (d), and (e) of subdivision (3) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to the provisions of section 105.721, provided in subsection 6 of this section, shall not apply to any claim or judgment arising under paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section. Any claim or judgment arising under paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721, to the extent damages are allowed under sections 538.205 to 538.235, RSMo. Liability or malpractice insurance obtained and maintained in force by any physician, dentist, physician assistant, dental hygienist, or nurse for coverage concerning his or her private practice and assets shall not be considered available under subsection 6 of this section to pay that portion of a judgment or claim for which the state legal expense fund is liable under paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section. However, a physician, nurse, dentist, physician assistant, or dental hygienist may purchase liability or malpractice insurance for coverage of liability claims or judgments based upon care rendered under paragraphs (c), (d), and (e) of subdivision (3) of subsection 2 of this section which exceed the amount of liability coverage provided by the state legal expense fund under those paragraphs. Even if paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section is repealed or modified, the state legal expense fund shall be available for damages which occur while the pertinent paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section is in effect.

4. The attorney general shall promulgate rules regarding contract procedures and the documentation of legal practice provided under subdivision (5) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to section 105.721 as provided in subsection 6 of this section shall not apply to any claim or judgment arising under subdivision (5) of subsection 2 of this section. Any claim or judgment arising under subdivision (5) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721 to the extent damages are allowed under sections 538.205 to 538.235, RSMo. Liability or malpractice insurance otherwise obtained and maintained in force shall not be considered available under subsection 6 of this section to pay that portion of a judgment or claim for which the state legal expense fund is liable under subdivision (5) of subsection 2 of this section. However, an attorney may obtain liability or malpractice insurance for coverage of liability claims or judgments based upon legal practice rendered under subdivision (5) of subsection 2 of this section that exceed the amount of liability coverage provided by the state legal expense fund under subdivision (5) of subsection 2 of this section. Even if subdivision (5) of subsection 2 of this section is repealed or amended, the state legal expense fund shall be available for damages that occur while the pertinent subdivision (5) of subsection 2 of this section is in effect.

5. All payments shall be made from the state legal expense fund by the commissioner of administration with the approval of the attorney general. Payment from the state legal expense fund of a claim or final judgment award against a physician, dentist, physician assistant, dental hygienist, or nurse described in paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section, or against an attorney in subdivision (5) of subsection 2 of this section, shall only be made for services rendered in accordance with the conditions of such paragraphs.

6. Except as provided in subsection 3 of this section, in the case of any claim or judgment that arises under sections 537.600 and 537.610, RSMo, against the state of Missouri, or an agency of the state, the aggregate of payments from the state legal expense fund and from any policy of insurance procured pursuant to the provisions of section 105.721 shall not exceed the limits of liability as provided in sections 537.600 to 537.610, RSMo. No payment shall

be made from the state legal expense fund or any policy of insurance procured with state funds pursuant to section 105.721 unless and until the benefits provided to pay the claim by any other policy of liability insurance have been exhausted.

7. The provisions of section 33.080, RSMo, notwithstanding, any moneys remaining to the credit of the state legal expense fund at the end of an appropriation period shall not be transferred to general revenue.

8. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in sections 105.711 to 105.726 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Pages 39-44, Section 211.031, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 6, Section 67.2552, Line 13, by inserting after all of said line the following:

"115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, an intrastate new resident or a new resident, as defined in section 115.275. In no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall [present] **identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification at the time of registration.**

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote.

115.155. 1. The election authority shall provide for the registration of each voter. Each application shall be in substantially the following form:

APPLICATION FOR REGISTRATION

Are you a citizen of the United States?

☐ YES ☐ NO

Will you be 18 years of age on or before election day?

☐ YES ☐ NO

IF YOU CHECKED "NO" IN RESPONSE TO EITHER OF THESE QUESTIONS, DO NOT COMPLETE THIS FORM.

IF YOU ARE SUBMITTING THIS FORM BY MAIL AND ARE REGISTERING FOR THE FIRST TIME, PLEASE SUBMIT A COPY OF A CURRENT, VALID PHOTO IDENTIFICATION [OR A COPY OF A CURRENT UTILITY BILL, BANK STATEMENT, GOVERNMENT CHECK, PAYCHECK, OR GOVERNMENT DOCUMENT

THAT SHOWS YOUR NAME AND ADDRESS]. IF YOU DO NOT SUBMIT SUCH INFORMATION, YOU WILL BE REQUIRED TO PRESENT ADDITIONAL IDENTIFICATION UPON VOTING FOR THE FIRST TIME **SUCH AS A BIRTH CERTIFICATE, A NATIVE AMERICAN TRIBAL DOCUMENT ACCOMPANIED BY A SOCIAL SECURITY CARD, OR OTHER PROOF OF UNITED STATES CITIZENSHIP.**

.....
.....	Township (or Ward)
.....	
Name	Precinct
.....	
.....	
Home Address	Required Personal
	Identification Information
.....	
City ZIP	
.....
Date of Birth	Place of Birth (Optional)
.....
Telephone Number	Mother's Maiden Name
(Optional)	(Optional)
.....
Occupation (Optional)	Last Place Previously Registered
.....
Last four digits of	Under What Name
Social Security Number	
(Required for registration	
unless no Social Security	
number exists for Applicant)	
Remarks:	
.....	
	When

I am a citizen of the United States and a resident of the state of Missouri. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I do solemnly swear that all statements made on this card are true to the best of my knowledge and belief. **I UNDERSTAND THAT IF I REGISTER TO VOTE KNOWING THAT I AM NOT LEGALLY ENTITLED TO REGISTER, I AM COMMITTING A CLASS ONE ELECTION OFFENSE AND MAY BE PUNISHED BY IMPRISONMENT OF NOT MORE THAN FIVE YEARS OR BY A FINE OF BETWEEN TWO THOUSAND FIVE HUNDRED DOLLARS AND TEN THOUSAND DOLLARS OR BY BOTH SUCH IMPRISONMENT AND FINE.**

.....	
.....	
Signature of Voter	Date
.....	
Signature of Election Official	

2. After supplying all information necessary for the registration records, each applicant who appears in person before the election authority shall swear or affirm the statements on the registration application by signing his or her full name, witnessed by the signature of the election authority or such authority's deputy registration official. Each applicant who applies to register by mail pursuant to section 115.159, or pursuant to section 115.160 or 115.162, shall attest to the statements on the application by his or her signature.

3. Upon receipt by mail of a completed and signed voter registration application, a voter registration application forwarded by the division of motor vehicle and drivers licensing of the department of revenue pursuant to section 115.160, or a voter registration agency pursuant to section 115.162, the election authority shall, if satisfied that the applicant is entitled to register, transfer all data necessary for the registration records from the application to its registration system. Within seven business days after receiving the application, the election authority shall send the applicant a verification notice. If such notice is returned as undeliverable by the postal service within the time

established by the election authority, the election authority shall not place the applicant's name on the voter registration file.

4. If, upon receipt by mail of a voter registration application or a voter registration application forwarded pursuant to section 115.160 or 115.162, the election authority determines that the applicant is not entitled to register, such authority shall, within seven business days after receiving the application, so notify the applicant by mail and state the reason such authority has determined the applicant is not qualified. The applicant may have such determination reviewed pursuant to the provisions of section 115.223. If an applicant for voter registration fails to answer the question on the application concerning United States citizenship, the election authority shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form before the next election.

5. It shall be the responsibility of the secretary of state to prescribe specifications for voter registration documents so that they are uniform throughout the state of Missouri and comply with the National Voter Registration Act of 1993, including the reporting requirements, and so that registrations, name changes and transfers of registrations within the state may take place as allowed by law.

6. All voter registration applications shall be preserved in the office of the election authority.

115.160. 1. All Missouri driver's license applicants shall receive a voter registration application form as a simultaneous part of the application for a driver's license, renewal of driver's license, change of address, duplicate request and a nondriver's license.

2. If a single application form is used, the voter registration application portion of any application described in subsection 1 of this section may not require any information that duplicates information required in the driver's license portion of the form, except a second signature or other information required by law.

3. After conferring with the secretary of state as the chief state election official responsible for overseeing of the voter registration process, the director of revenue shall adopt rules and regulations pertaining to the format of the voter registration application used by the department.

4. No information relating to the failure of an applicant for a driver's license or nondriver's license to sign a voter registration application may be used for any purpose other than voter registration.

5. Any voter registration application received pursuant to the provisions of this section shall be forwarded to the election authority located within that county or any city not within a county, or if there is more than one election authority within the county, then to the election authority located nearest to the location where the driver's license application was received. The election authority receiving the application forms shall review the applications and forward any applications pertaining to a different election authority to that election authority.

6. A completed voter registration application accepted in the driver's licensing process shall be transmitted to the election authority described in subsection 5 of this section not later than five business days after the form is completed by the applicant.

7. Any person registering to vote when applying for or renewing a Missouri driver's license shall submit with the application form a copy of a birth certificate, a Native American tribal document, or other proof of United States citizenship."; and

Further amend said bill, Section 115.348, Page 16, Line 17, by inserting after all of said line the following:

"115.631. The following offenses, and any others specifically so described by law, shall be class one election offenses and are deemed felonies connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than five years or by fine of not less than two thousand five hundred dollars but not more than ten thousand dollars or by both such imprisonment and fine:

(1) Willfully and falsely making any certificate, affidavit, or statement required to be made pursuant to any provision of sections 115.001 to 115.641 and sections 51.450 and 51.460, RSMo, including but not limited to statements specifically required to be made "under penalty of perjury"; or in any other manner knowingly furnishing false information to an election authority or election official engaged in any lawful duty or action in such a way as to hinder or mislead the authority or official in the performance of official duties. **If an individual willfully and falsely makes any certificate, affidavit, or statement required to be made under section 115.155, including but not limited to statements specifically required to be made 'under penalty of perjury', such individual shall be guilty of a class B felony;**

(2) Voting more than once or voting at any election knowing that the person is not entitled to vote or that the person has already voted on the same day at another location inside or outside the state of Missouri;

(3) Procuring any person to vote knowing the person is not lawfully entitled to vote or knowingly procuring an illegal vote to be cast at any election;

(4) Applying for a ballot in the name of any other person, whether the name be that of a person living or dead or of a fictitious person, or applying for a ballot in his own or any other name after having once voted at the election inside or outside the state of Missouri;

(5) Aiding, abetting or advising another person to vote knowing the person is not legally entitled to vote or knowingly aiding, abetting or advising another person to cast an illegal vote;

(6) An election judge knowingly causing or permitting any ballot to be in the ballot box at the opening of the polls and before the voting commences;

(7) Knowingly furnishing any voter with a false or fraudulent or bogus ballot, or knowingly practicing any fraud upon a voter to induce him to cast a vote which will be rejected, or otherwise defrauding him of his vote;

(8) An election judge knowingly placing or attempting to place or permitting any ballot, or paper having the semblance of a ballot, to be placed in a ballot box at any election unless the ballot is offered by a qualified voter as provided by law;

(9) Knowingly placing or attempting to place or causing to be placed any false or fraudulent or bogus ballot in a ballot box at any election;

(10) Knowingly removing any legal ballot from a ballot box for the purpose of changing the true and lawful count of any election or in any other manner knowingly changing the true and lawful count of any election;

(11) Knowingly altering, defacing, damaging, destroying or concealing any ballot after it has been voted for the purpose of changing the lawful count of any election;

(12) Knowingly altering, defacing, damaging, destroying or concealing any poll list, report, affidavit, return or certificate for the purpose of changing the lawful count of any election;

(13) On the part of any person authorized to receive, tally or count a poll list, tally sheet or election return, receiving, tallying or counting a poll list, tally sheet or election return the person knows is fraudulent, forged or counterfeit, or knowingly making an incorrect account of any election;

(14) On the part of any person whose duty it is to grant certificates of election, or in any manner declare the result of an election, granting a certificate to a person the person knows is not entitled to receive the certificate, or declaring any election result the person knows is based upon fraudulent, fictitious or illegal votes or returns;

(15) Willfully destroying or damaging any official ballots, whether marked or unmarked, after the ballots have been prepared for use at an election and during the time they are required by law to be preserved in the custody of the election judges or the election authority;

(16) Willfully tampering with, disarranging, altering the information on, defacing, impairing or destroying any voting machine or marking device after the machine or marking device has been prepared for use at an election and during the time it is required by law to remain locked and sealed with intent to impair the functioning of the machine or marking device at an election, mislead any voter at the election, or to destroy or change the count or record of votes on such machine;

(17) Registering to vote knowing the person is not legally entitled to register or registering in the name of another person, whether the name be that of a person living or dead or of a fictitious person;

(18) Procuring any other person to register knowing the person is not legally entitled to register, or aiding, abetting or advising another person to register knowing the person is not legally entitled to register;

(19) Knowingly preparing, altering or substituting any computer program or other counting equipment to give an untrue or unlawful result of an election;

(20) On the part of any person assisting a blind or disabled person to vote, knowingly failing to cast such person's vote as such person directs;

(21) On the part of any registration or election official, permitting any person to register to vote or to vote when such official knows the person is not legally entitled to register or not legally entitled to vote;

(22) On the part of a notary public acting in his official capacity, knowingly violating any of the provisions of sections 115.001 to 115.627 or any provision of law pertaining to elections;

(23) Violation of any of the provisions of sections 115.275 to 115.303, or of any provision of law pertaining to absentee voting;

(24) Assisting a person to vote knowing such person is not legally entitled to such assistance, or while assisting a person to vote who is legally entitled to such assistance, in any manner coercing, requesting or suggesting that the voter vote for or against, or refrain from voting on any question, ticket or candidate."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 108, Section 569.080, Line 1 of said page, by inserting immediately after said line the following:

"4 (1) Any person convicted of a second offense of tampering in the first degree shall be punished by imprisonment by the department of corrections for a term of not less than two years but not more than seven years. No person convicted under this subsection shall be eligible for parole, probation, conditional release or suspended imposition or execution of sentence for a period of two calendar years.

(2) Any person convicted of a third or subsequent offense of tampering in the first degree shall be punished by imprisonment by the department of corrections for a term of not less than five years but not more than twenty years. No person convicted under this subsection shall be eligible for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five calendar years."; and

Further amend said bill, Page 109, Section 569.090, Line 10 of said page, by inserting immediately after said line the following:

"569.100. 1. A person commits the crime of property damage in the first degree if **such person:**

(1) [He] Knowingly damages property of another to an extent exceeding seven hundred and fifty dollars; or

(2) [He] Damages property to an extent exceeding one thousand dollars for the purpose of defrauding an insurer; or

(3) Knowingly damages a motor vehicle of another and the damage occurs while such person is breaking into the motor vehicle for the purpose of committing the crime of stealing therein or the damage occurs while such person is committing the crime of stealing within the motor vehicle.

2. Property damage in the first degree committed pursuant to subdivision (1) or (2) of subsection 1 of this section is a class D felony. Property damage in the first degree committed pursuant to subdivision (3) of subsection 1 of this section is a class C felony unless committed as a second or subsequent violation of subdivision (3) of subsection 1 of this section in which case it is a class B felony."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 16

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 161, Section 650.055, Line 9, by inserting after all of said line the following:

"Section 1. Upon a finding or plea of guilty, the court shall, upon motion of any party or any victim, and after a waiver of the right to trial by jury, conduct a hearing, before final sentencing, to determine the amount due to the victim as restitution by a preponderance of the evidence. The victim may be represented by counsel other than the prosecutor in the hearing. The court shall issue a civil judgment in that amount payable to the victim. The court may include the amount ordered to be payable to the victim for restitution as a condition of probation.

Section 2. No person committed to the department of corrections shall be granted parole unless full payment of restitution established under section 1, if any, is made a condition of parole."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 17

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 83, Section 558.019, Line 24, by inserting immediately after "2." the following: **"(1)";** and

Further amend said bill and section, Page 84, Line 9 of said page, by striking "the following minimum prison terms:" and inserting in lieu thereof the following:

"a sentence as imposed by the judge of the sentencing court. However, the board of probation and parole shall have discretion to review the sentence of such an offender, and it may release the individual on probation or parole prior to the completion of the sentence imposed."; and

Further amend Lines 10-28 of said page, by striking all of said lines and inserting in lieu thereof the following:

"(2) Those offenders sentenced under this section prior to August 28, 2005, shall have his or her sentence reviewed by the board of probation and parole. The board of probation and parole shall have discretion to release such an offender prior to completion of the sentence imposed in accordance with the former mandatory minimum sentencing requirements in effect prior to August 28, 2005."; and

Further amend said bill and section, Page 85, Line 8 of said page, by inserting at the end of said line the following:

"However, any person under the age of eighteen years who has pleaded guilty to or been found guilty of a nonviolent felony after being transferred to a court of general jurisdiction as provided for in section 211.071, RSMo, may have his or her sentence reviewed by the board of probation and parole after serving fifty percent of his or her sentence. The board of probation and parole shall have the discretion to release such an offender after serving fifty percent of the sentence, and prior to completion of the sentence imposed in accordance with the former mandatory minimum sentencing requirements in effect prior to August 28, 2005."; and

Further amend said bill and section, Page 86, Line 26 of said page, by striking "therefor sentences are comparable to" and inserting in lieu thereof the following:

"for such disparities. The commission also shall examine whether these disparities are comparable in".

Further amend the title and enacting clause accordingly.

Senate Amendment No. 18

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, Page 48, Section 217.735, Line 11 of said page, by inserting after the word "has" the following:

"pleaded guilty to or"; and

Further amend Line 13 of said page, by striking the following "or 566.212" and inserting in lieu thereof the following:

"566.212, 568.020, 568.080, or 568.090"; and

Further amend said bill and section, Page 49, Line 1, by inserting at the end of said line the following:

"Electronic monitoring shall be based on a global positioning system or other technology that identifies and records the offender's location at all times."; and

Further amend said bill, Page 93, Section 559.106, Line 28 of said page, by inserting after the word "offender" the following: **"who has pleaded guilty to or has been";** and

Further amend said bill, Page 94, Section 559.106, Line 2 of said page, by striking "466.151, or 566.212" and inserting in lieu thereof the following: **"566.151, 566.212, 568.020, 568.080, or 568.090"**; and

Further amend Line 10 of said page, by inserting after the word "previously" the following:

"pleaded guilty to or has"; and

Further amend Line 14 of said page, by inserting at the end of said line the following:

"Electronic monitoring shall be based on a global positioning system or other technology that identifies and records the offender's location at all times."

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 343**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 343 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 343;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 343;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 343, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Matt Bartle
/s/ John Loudon
/s/ Charles Shields
/s/ Rita Heard Days
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Ronald Richard
/s/ Tim Flook
/s/ David Pearce
/s/ Fred Kratky
/s/ Michael Spreng

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 678**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 678 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 678;
2. That the House recede from its position on House Bill No. 678;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 678, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Matt Bartle
/s/ Delbert Scott
/s/ Chuck Purgason
/s/ Joan Bray
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Richard Byrd
/s/ Jack A.L. Goodman
/s/ Tim Flook
/s/ John Burnett
/s/ Rick Johnson

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 11:00 a.m., Wednesday, May 11, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Nathan Cooper, District 158, hereby state and affirm that my vote as recorded on the motion to adopt House Substitute Amendment No. 1 for House Amendment No. 6 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 221, 250 & 256 in the House Journal for Tuesday, May 10, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2005.

/s/ Nathan Cooper
State Representative

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State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jane Cunningham, District 86, hereby state and affirm that my vote as recorded on Page 1605 of the House Journal for Monday, May 9, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2005.

/s/ Jane Cunningham
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jeff Harris, District 23, hereby state and affirm that my vote as recorded on Page 1602 of the House Journal for Monday, May 9, 2005 showing that I voted present was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2005.

/s/ Jeff Harris
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Allen Icet, District 84, hereby state and affirm that my vote as recorded on the motion to adopt House Amendment No. 1 to House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287 in the Journal for Tuesday, May 10, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2005.

/s/ Allen Icet
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Jim Lembke, District 85, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute for Senate Bill No. 187 in the House Journal for Tuesday, May 10, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 10th day of May 2005.

/s/ Jim Lembke
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 10th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

CONFERENCE COMMITTEE NOTICE

Wednesday, May 11, 2005, Hearing Room 6 upon morning recess.
Public hearing to be held on: SS SCS HCS HB 58

CONFERENCE COMMITTEE NOTICE

Wednesday, May 11, 2005, Hearing Room 6 upon afternoon adjournment.
Public hearing to be held on: SS SCS HCS HB 58

FISCAL REVIEW

Wednesday, May 11, 2005, 8:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session. CANCELLED

FISCAL REVIEW

Thursday, May 12, 2005, 8:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session. AMENDED

FISCAL REVIEW

Friday, May 13, 2005, 8:00 a.m. Hearing Room 4.

Any bills or matters referred to the Fiscal Review Committee.

Executive session. AMENDED

RULES

Wednesday, May 11, 2005, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HCS SS SCS SBs 37, 322, 78, 351 & 424, SJR 19

HOUSE CALENDAR

SEVENTY-THIRD DAY, WEDNESDAY, MAY 11, 2005

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 12 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491, Part I, Part II, Part III, pending - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach
- 26 HCS HB 842 & 831 - Brooks

- 27 HB 875 - Moore
- 28 HCS#2 HB 131 - Schaaf
- 29 HB 925 - Salva
- 30 HCS HB 948 - Cooper (158)
- 31 HB 970 - Yates

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532 - Spreng
- 3 HB 952, E.C. - Icet
- 4 HCS HB 859 - Jetton

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 2, (3-02-05, Pages 470-471) - Sander
- 2 SS SCR 7, (4-28-05, Page 1340) - Portwood
- 3 SCR 13, HCA 1 (4-28-05, Page 1341, 5-05-05, Page 1561) - Schlottach
- 4 SCR 15, (4-27-05, Pages 1302-1303) - Stefanick
- 5 SCR 19, (5-09-05, Pages 1609-1610) - Cooper (120)

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 222 - Sutherland
- 2 SB 480, HPA 1, pending - Kraus
- 3 SB 518 - Cooper (155)
- 4 SCS SB 6 - Lager
- 5 SB 122 - Wright (137)
- 6 SB 162 - Cooper (155)
- 7 SB 209 - Pearce
- 8 HCS SB 216 - Goodman
- 9 SCS SB 227 - Kuessner
- 10 HCS SCS SB 238 - Faith
- 11 SCS SB 247 - Bruns
- 12 SB 265 - Wood
- 13 SB 288 - Lager
- 14 SB 304 - Ervin
- 15 HCS SB 308 - Pollock
- 16 SB 317 - Smith (118)
- 17 SCS SB 354 - Schlottach
- 18 SB 357 - Johnson (47)
- 19 HCS SB 364, E.C. - Franz

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- 20 HCS SCS SB 372 - Kuessner
- 21 SCS SB 374 - Zweifel
- 22 SB 396 - Sutherland
- 23 HCS SB 401 - Lembke
- 24 SB 418 - Lipke
- 25 HCS SB 422 - Yates
- 26 HCS SCS SB 423 - Lipke
- 27 HCS SCS SB 450, E.C. - Portwood
- 28 SCS SB 496 - Kelly
- 29 SCS SB 502, E.C. - Portwood
- 30 SB 521, as amended - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 70 - Richard
 - 2 SB 488, HCA 1, pending - Robinson
 - 3 SB 280 - Wasson
 - 4 SB 286 - Kingery
 - 5 SB 479 - May
 - 6 SB 526 - Cunningham (145)
 - 7 SB 180 - Cooper (158)
 - 8 HCS SCS SB 260 - Baker (123)
 - 9 SB 268 - Byrd
 - 10 SB 274 - Richard
 - 11 SS SCS SB 346 - Ruestman
 - 12 HCS SS SB 95 - Hubbard
 - 13 HCS SB 99 - Wood
 - 14 SB 141 - Richard
 - 15 HCS SB 173 - Hobbs
 - 16 HCS SB 192 - Robinson
 - 17 SB 232, HCA 1 - Bivins
 - 18 SCS SB 310 - Dixon
 - 19 HCS SCS SB 319 - Roark
 - 20 SB 361 - Nance
 - 21 SB 380 - Cunningham (86)
 - 22 HCS SCS SBs 420 & 344 - Byrd
 - 23 SB 431, E.C.- Sutherland
 - 24 SCS SBs 23 & 51 - Lipke
 - 25 HCS SCS SB 161 - Chinn
 - 26 HCS SS#2 SCS SB 225, E.C. - Hobbs
 - 27 SB 254 - Tilley
 - 28 HCS SCS SB 262 - Johnson (47)
 - 29 HCS SCS SB 272 - Dempsey
 - 30 SB 358 - Richard
 - 31 HCS SS SCS SB 462, E.C. - Schad
 - 32 HCS SCS SB 500, E.C. - Lager
- (2 hours debate on Third Reading)

33 HCS SCS SB 57 - Wilson (130)
34 HCS SB 194 - Kraus
35 HCS SCS SB 468 - Icet
36 HCS#2 SB 123 - Byrd
37 HCS SS SCS SB 144 - Byrd
38 HCS#2 SB 165 - Byrd
39 SB 257 - Baker (123)
40 HCS SB 320 - Baker (123)
41 HCS SB 405 - Byrd
42 HCS SCS SB 196 - Ervin
43 HCS#2 SS SB 362 - Sutherland
44 HCS SB 42 - Muschany
45 HCS SS SCS SB 2, (Fiscal Review 5-10-05) - Cunningham (86)

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HCS HB 47, E.C. - Brown (30)
2 SCS HB 707 - Cunningham (145)
3 SCS HCS HB 515 - Wood
4 SCS HB 638 - Cunningham (86)
5 SCS HB 685, E.C. - Franz
6 SCS HB 361 & HB 684 - Lipke
7 SCS HB 688 - Byrd
8 HCS HB 630, SPA 1 - Pollock
9 SCS HCS HB 362 - Lipke
10 SCS HB 456 - Kuessner
11 SCS HB 450 - Meiners
12 SCS HB 53 - Swinger
13 SCS HB 423 - Kuessner
14 SS SCS HCS HB 441, E.C. - Lipke
15 SCS HB 528 - Cunningham (145)
16 SCS HB 618 - Bearden
17 SCS HCS HB 297 - Pearce
18 SCS HCS HB 443 - Sander
19 SCS HCS#2 HB 232 - Portwood
20 SCS HB 229 - Portwood
21 HCS HB 525, SSA 1 for SA 1, SA 3 & SA 6 - May
22 HCS HB 576, SCA 1 - Flook
23 SS SCS HB 487, as amended, E.C. - Bruns
24 HB 114, SA 1 to SA 1, SA 1, as amended - Johnson (47)
25 SS HB 116, as amended, E.C. - Deeken
26 SS SCS HCS HB 437 - Jackson
27 HCS HB 824, SA 1 - Hobbs
28 SS SCS HCS HB 64, E.C. - Sutherland
29 SS SCS HCS HB 500 & 533 - Faith
30 HCS HB 388, SA 1 & SA 2 - Yates

- 31 SS HCS HB 334, as amended, E.C. - Franz
- 32 SS SCS HCS HB 518, 288, 418 & 635, as amended - St. Onge
- 33 SS SCS HCS HB 209, as amended - Cooper (120)
- 34 SS SCS HCS HB 353, as amended, E.C. - Lipke

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SB 355, as amended
(request House recede/grant conference/exceed differences), E.C. - Loehner
- 2 SCS SB 390, HA 1 & HA 3 (request House recede/grant conference) - Pratt
- 3 HCS SCS SBs 221, 250 & 256, as amended
(request House recede/grant conference) - St. Onge

BILLS IN CONFERENCE

- 1 HCS SS SCS SB 210, as amended - Johnson (47)
- 2 HCS SCS#2 SB 155, as amended - Kingery
- 3 SS SCS HCS HB 58, as amended (exceed differences), E.C. - Johnson (47)
- 4 CCR HCS SS SB 343, as amended - Richard
- 5 CCR SCS HB 678, as amended - Byrd
- 6 HCS SCS SB 233, as amended - Nance
- 7 HCS SB 177 - Behnen

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton
- 4 HCR 28, (4-21-05, Pages 1196-1197) - Salva

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

- 1 HCR 14, (4-26-05, Pages 1277-1278) - Zweifel
- 2 HJR 23 - Emery
- 3 HB 846 - Page

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTY-THIRD DAY, WEDNESDAY, MAY 11, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, You have instructed us from Your Word, "Let not the wise man glory in his wisdom, let not the mighty man glory in his might, let not the rich man glory in his riches; but let him who glories, glory in this, that he understands and knows that I am Lord who practice steadfast love, justice, and righteousness in the Earth; for in these things I delight."

When all is said and done, may we take no glory in what was accomplished this Session, but understand that by Your grace and mercy we've been privileged to do the work of this state.

Lord God, may we continue to make decisions as to what is right; may we have the knowledge among ourselves as to what is good.

In the waning moments of this Session, in the long hours and days, we understand better what the Psalmist meant when he said, "Oh that I had wings like a dove! Then I would fly away, and be at rest." Our souls find rest in You.

May Your peace and comfort be with us all, both now and forevermore.

In the name of Your Son we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joey Wheeler, Korey Clark, Andrew Gurney, Tiara Wagner, Tre'von Buckner, Kelly Nolen, Madelyn Pieck and Brittany Whetstine.

MOTION

Representative Dempsey moved that Rule 3(c) be suspended for one hour, to allow the printing of the House Journal to be completed, at which time the motion for approval of the Journal will be made.

Which motion was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Brooks	Brown 30
Brown 50	Bruns	Burnett	Byrd	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hunter
Iceet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Myers	Nance	Nieves	Nolte
Oxford	Page	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Selby
Self	Silvey	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 009

Bringer	Darrough	Daus	Harris 23	Shoemyer
Skaggs	Swinger	Wildberger	Witte	

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 25	Bland	Bowman	Boykins	Chappelle-Nadal
Corcoran	Hubbard	Hughes	Lembke	Meadows
Muschany	Parker	Rucker	Schneider	Vogt
Wright-Jones				

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3151

and

House Resolution No. 3152 - Representative Lager

House Resolution No. 3153 - Representative Rupp

House Resolution No. 3154 - Representative Wilson (119)
House Resolution No. 3155 - Representative Whorton
House Resolution No. 3156 - Representative Wasson
House Resolution No. 3157 - Representative St. Onge
House Resolution No. 3158 - Representative Lembke
House Resolution No. 3159 - Representative Brown (30)
House Resolution No. 3160
through
House Resolution No. 3164 - Representative Kraus
House Resolution No. 3165
through
House Resolution No. 3167 - Representative Aull
House Resolution No. 3168
through
House Resolution No. 3192 - Representative Smith (118)
House Resolution No. 3193 - Representative Sutherland
House Resolution No. 3194
through
House Resolution No. 3196 - Representative Pratt
House Resolution No. 3197
and
House Resolution No. 3198 - Representative Munzlinger
House Resolution No. 3199 - Representative Whorton
House Resolution No. 3200
through
House Resolution No. 3202 - Representative Nance
House Resolution No. 3203
through
House Resolution No. 3206 - Representative Stevenson
House Resolution No. 3207 - Representatives Fraser and Chappelle-Nadal

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 2** (Fiscal Note), begs leave to report it has **been furnished an updated fiscal note and does not require fiscal review**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 17**.

SENATE CONCURRENT RESOLUTION NO. 17

WHEREAS, the cost of a four-year college education increases each year; and

WHEREAS, in response to the ever-increasing cost of a college education, the federal government created Section 529 of the Internal Revenue Code, which authorized states to create federal tax-deferred higher education savings programs; and

WHEREAS, each state has established at least one higher education savings program under the auspices of Section 529; and

WHEREAS, the state of Missouri established the Missouri Higher Education Savings Program in 1998 to allow parents, grandparents, and any other family members or friends to create tax-deferred higher education savings accounts for a child's future education; and

WHEREAS, in order to encourage Missouri families to invest in the Missouri Higher Education Savings Program, the state authorizes a participant in the program to deduct up to eight thousand dollars in contributions to the program from the participant's adjusted gross income in determining the amount of state income tax owed; and

WHEREAS, there is a disincentive for investment in other states' higher education savings programs since the income tax deduction only applies to investments in Missouri's savings program; and

WHEREAS, parents and families should be afforded every opportunity to invest in the best savings programs, since the goal of higher education savings programs is to increase the amount of money available for a child's higher education:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create a Joint Interim Committee on Investments in Higher Education Savings Programs; and

BE IT FURTHER RESOLVED that the joint interim committee shall study methods to expand investment opportunities for Missouri parents and families in higher education savings programs, while maintaining the solvency of the Missouri Higher Education Savings Program, and make recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that the joint interim committee be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the joint interim committee herein established shall consist of ten members, three of which shall be members of the Senate appointed by the President Pro Tem of the Senate, two of which shall be members of the Senate appointed by the Minority Leader of the Senate, three of which shall be members of the House of Representatives appointed by the Speaker of the House of Representatives, and two of which shall be members of the House of Representatives appointed by the Minority Leader of the House of Representatives; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the committee, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the joint interim committee shall expire on December 31, 2005, and on that same date deliver a report of findings and recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President Pro Tem of the Senate and the Speaker of the House of Representatives.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 287, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 343, as amended**, and has taken up and passed **CCS HCS SS SB 343**.

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 287, as amended, relating to education funding, was taken up by Representative Baker (123).

Representative Baker (123) moved that the House refuse to recede from its position on **HCS SS SCS SB 287, as amended**, and grant the Senate a conference.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 058

Aull	Baker 25	Bland	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hoskins	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng

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Storch	Swinger	Villa	Wagner	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 009

Bean	Bowman	Boykins	Corcoran	Hubbard
Muschany	Parker	Schneider	Vogt	

VACANCIES: 001

Representative Baker (123) again moved that the House refuse to recede from its position on **HCS SS SCS SB 287, as amended**, and grant the Senate a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 617**, entitled:

An act to repeal sections 249.1150, 249.1152, 249.1154, 640.635, 644.076, 701.038, and 701.053, RSMo, and to enact in lieu thereof five new sections relating to water shed districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SBs 74 & 49, as amended**, and has taken up and passed **HCS SS SCS SBs 74 & 49, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 287, as amended**: Senators Shields, Nodler, Bartle, Days and Kennedy.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SCS SB 287: Representatives Baker (123), Lager, Cunningham (145), Bringer and Corcoran

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILL

HCS SCS SB 500, relating to the Part C Intervention System, was taken up by Representative Lager.

Representative Lager offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 500, Page 8, Section 1, Line 4, by inserting after all of said line the following:

"Section 2. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the program authorized under sections 160.900 to 160.925, RSMo, section 162.700, RSMo, and section 1 of this act shall automatically sunset two years after the effective date of sections 160.900 to 160.925, RSMo, section 162.700, RSMo, and section 1 of this act unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 160.900 to 160.925, RSMo, section 162.700, RSMo, and section 1 of this act shall automatically sunset twelve years after the effective date of the reauthorization of sections 160.900 to 160.925, RSMo, section 162.700, RSMo, and section 1 of this act; and

(3) Sections 160.900 to 160.925, RSMo, section 162.700, RSMo, and section 1 of this act shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 160.900 to 160.925, RSMo, section 162.700, RSMo, and section 1 of this act is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lager, **House Amendment No. 1** was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Myers	Nance	Nieves	Nolte	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

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NOES: 060

Aull	Baker 25	Bland	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Rupp	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Boykins	Hubbard	Kelly	Muschany
Parker	Salva	Wildberger		

VACANCIES: 001

Representative Roark offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 500, Section 1, Page 8, Line 4, by inserting after all of said line the following:

“Section B. Because immediate action is necessary to ensure the continuation of early intervention services to infants and toddlers with disabilities section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect on July 1, 2005, or upon its passage and approval, whichever later occurs.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roark, **House Amendment No. 2** was adopted.

Representative Sanders Brooks offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 500, Section 160.920, Page 5, Lines 28 and 29, by deleting all of said lines and inserting in lieu thereof the following:

"with the fee implementation beginning with families whose adjusted gross income is at least one hundred forty thousand dollars;"; and

Further amend said section, Page 5, Line 30, by striking the word, **“one”** and inserting in lieu thereof the word, **“two”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sanders Brooks, **House Amendment No. 3** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 055

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Burnett	Casey	Chappelle-Nadal	Darrough
Daus	Donnelly	El-Amin	Fraser	George
Harris 23	Harris 110	Henke	Hoskins	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Yaeger	Young	Zweifel

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 009

Boykins	Brown 50	Corcoran	Curls	Haywood
Hubbard	Hughes	Wright 137	Wright-Jones	

VACANCIES: 001

On motion of Representative Lager, **HCS SCS SB 500, as amended**, was adopted.

On motion of Representative Lager, **HCS SCS SB 500, as amended**, was read the third time and passed by the following vote:

AYES: 137

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Brooks	Brown 30
Brown 50	Bruns	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Haywood	Hobbs	Hoskins	Hunter
Ice	Jackson	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	Liese	Lipke
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yates	Young
Zweifel	Mr Speaker			

NOES: 023

Baker 25	Bland	Bowman	Bringer	Burnett
Daus	George	Harris 23	Henke	Hughes
Johnson 61	Johnson 90	LeVota	Low 39	Lowe 44
Oxford	Schoemehl	Selby	Spreng	Villa
Vogt	Whorton	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 002

Boykins	Hubbard
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 101

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brooks	Brown 30	Bruns
Byrd	Chinn	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jones
Kelly	Kingery	Kraus	Lager	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 055

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Daus	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Rucker
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Vogt	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 004

Darrough	Salva	Wagner	Wildberger
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ABSENT WITH LEAVE: 002

Boykins	Hubbard
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VACANCIES: 001

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 353, as amended, relating to crime, was taken up by Representative Lipke.

Representative Lipke moved that the House refuse to adopt **SS SCS HCS HB 353, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

APPROVAL OF THE HOUSE JOURNAL

On motion of Representative Dempsey, the Journal of the seventy-second day was approved as corrected.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3208

through

House Resolution No. 3221 - Representative Black
House Resolution No. 3222 - Representative Storch
House Resolution No. 3223 - Representatives Nolte and Silvey
House Resolution No. 3224 - Representative Vogt

House Resolution No. 3225

through

House Resolution No. 3229 - Representative Kingery
House Resolution No. 3230 - Representative Jackson
House Resolution No. 3231 - Representative Fares
House Resolution No. 3232 - Representative Page

House Resolution No. 3233

through

House Resolution No. 3246 - Representative Black
House Resolution No. 3247 - Representative Witte
House Resolution No. 3248 - Representative Jetton

House Resolution No. 3249

through

House Resolution No. 3251 - Representative Self
House Resolution No. 3252 - Representatives Harris (110) and Casey
House Resolution No. 3253 - Representative Harris (110)

House Resolution No. 3254

through

House Resolution No. 3256 - Representatives Harris (110) and Casey

House Resolution No. 3257

through

House Resolution No. 3259 - Representative Silvey

House Resolution No. 3260 - Representative Fares

THIRD READING OF SENATE BILLS

SB 488, with House Committee Amendment No. 1, pending, relating to prior salvage titled vehicles, was taken up by Representative Robinson.

On motion of Representative Schlottach, **House Committee Amendment No. 1** was adopted.

On motion of Representative Robinson, **SB 488, as amended**, was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Bland	Bowman	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Black	Boykins	Brooks	Haywood
Kelly	Myers	Salva	St. Onge	Wasson
Wildberger				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SS#2 SCS SB 225, relating to hazardous waste, was taken up by Representative Hobbs.

Representative Sander offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 225, Section B, Page 51, Line 2, by inserting after the word “sections” the following:

“**260.273, 260.279**,”; and

Further amend said section and page, Line 5, by inserting after the word “sections” the following:

“**260.273, 260.279**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sander, **House Amendment No. 1** was adopted.

Representative Selby offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 225, Section 304.184, Page 47, Line 10, by inserting immediately after said line the following:

“**Section 1. No trash transfer station may be located within one thousand feet of any property zoned for residential use in a county of the first classification with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Selby moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Harris (110) offered **House Amendment No. 3**.

House Amendment No. 3 was withdrawn.

On motion of Representative Hobbs, **HCS SS#2 SCS SB 225, as amended**, was adopted.

On motion of Representative Hobbs, **HCS SS#2 SCS SB 225, as amended**, was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 002

Jackson Whorton

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 007

Boykins	Cooper 155	Haywood	Myers	Salva
Smith 118	Vogt			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Aull	Avery	Baker 25	Bean	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 90
Jolly	Jones	Kelly	Kingery	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 001

Whorton

PRESENT: 003

Brooks	Henke	Johnson 61
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ABSENT WITH LEAVE: 008

Baker 123	Boykins	Darrough	Haywood	Kratky
Myers	Salva	Vogt		

VACANCIES: 001

HCS SCS SB 272, relating to excursion gambling boat admission fees, was taken up by Representative Dempsey.

On motion of Representative Dempsey, **HCS SCS SB 272** was adopted.

On motion of Representative Dempsey, **HCS SCS SB 272** was read the third time and passed by the following vote:

AYES: 144

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 008

Baker 25	Donnelly	El-Amin	Henke	Rucker
Whorton	Wildberger	Wright 159		

PRESENT: 006

Brooks	George	Harris 23	Low 39	Oxford
Roorda				

ABSENT WITH LEAVE: 004

Boykins	Darrough	Haywood	Salva
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SBs 420 & 344, relating to judicial procedures and personnel, was taken up by Representative Byrd.

Representative Byrd offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Section 483.537, Page 30, Line 6, by inserting after the word “**be**” on said line the word “**used**”; and

Further amend said bill, Section 488.014, Page 31, Line 5, by deleting the word “**courts**” on said line and inserting in lieu thereof the word “**county**”; and

Further amend said bill, Section 494.430, Page 33, Line 11, by deleting the word “**healthcare**” on said line and inserting in lieu thereof the words “**health care**”; and

Further amend said bill, Section 590.180, Page 42, Line 28, by inserting after the word “**employers**” on said line the following:

“**of the dates of service**”; and

Further amend said bill, Section 1, Page 49, Line 24, by inserting after the word “board” the following:

“; **(14) Juvenile officers**”; and

Further amend said bill, Section 2, Page 50, Lines 2 and 3, by deleting all of said line and inserting in lieu thereof the following:

“**a fee of less than two hundred dollars for completing residential loan documentation for loans made by that institution shall be deemed to be engaging in the unauthorized practice**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Section 600.042, Pages 42-44, Lines 1-81, by striking all of said lines; and

Further amend said bill, Section 600.086, Pages 44-45, Lines 1-48, by striking all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 2** was adopted.

Representative Byrd offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Pages 24 through 26, Section 475.010, by deleting all of said section; and

Further amend said bill, Pages 26 and 27, Section 475.045, by deleting all of said section; and

Further amend said bill, Pages 27 and 28, Section 475.046, by deleting all of said section; and

Further amend said bill, Pages 36 and 37, Section 536.142, by deleting all of said section; and

Further amend said bill, Pages 45 and 49, Section 650.055, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 3** was adopted.

Representative Byrd offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Pages 3-8, Section 105.711, by striking said section and inserting in lieu thereof the following:

"105.705. 1. As used in this section, the term "state employee" or "employee" shall mean any officer or employee of the state of Missouri or any agency of the state, including, without limitation, elected officials, appointees, members of the state boards or commissions and members of the Missouri national guard.

2. No state employee shall be personally liable in any civil action brought against them in the courts of this state, in either their individual or official capacities, for conduct arising out of and in connection with their official duties on behalf of the state, whether or not such acts are ministerial or discretionary, unless the employee acted with malicious purpose, in bad faith, or in a wanton or reckless manner. The exclusive remedy for any cause of action against a state employee for acts committed within the scope of their official duties shall be an action against the state of Missouri.

3. The attorney general shall be promptly notified of any claim or suit filed against an employee for actions arising from their official duties. To be certified that the employee was acting within the scope of his or her official duties, the employee must cooperate fully with the attorney general in the defense of the claim.

4. (1) Upon certification by the attorney general that the defendant employee was acting within the scope of his or her official duties at the time of the incident out of which the claim arose, any civil action or proceeding commenced upon such claim in a circuit court of this state shall be deemed an action against the state of Missouri under the provisions of this section and the state of Missouri or the respective agency shall be substituted as the party defendant.

(2) In the event that the attorney general has refused to certify that the defendant was acting within the scope of his or her official duties at the time of the incident out of which the claim arose, the employee may at any time before trial petition the respective circuit court of this state to find and certify that the employee was acting within the scope of his or her official duties. Upon such certification by the court, such action or proceeding shall be deemed to be an action or proceeding brought against the state of Missouri under the provisions of this section and the state of Missouri or the respective agency shall be substituted as the party defendant.

(3) Upon certification, any action or proceeding under this section shall proceed in the same manner as any action against the state of Missouri filed under sections 537.600 to 537.615, RSMo, and shall be subject to the limitations and exceptions applicable to those actions.

5. Nothing in this section shall be construed as waiving or abrogating the sovereign immunity of the state beyond the expressed waivers of sovereign immunity provided under sections 537.600 to 537.615, RSMo.

6. No payment for any claim or judgment against a state employee shall be made under the provisions of sections 105.711 to 105.726 or from any other state funds if the employee is determined by the attorney general to have acted outside the course and scope of the employee's official duties.

105.711. 1. There is hereby created a "State Legal Expense Fund" which shall consist of moneys appropriated to the fund by the general assembly and moneys otherwise credited to such fund pursuant to section 105.716.

2. Moneys in the state legal expense fund shall be available for the payment of any claim or any amount required by any final judgment rendered by a court of competent jurisdiction against:

(1) The state of Missouri, or any agency of the state, pursuant to section 536.050 or 536.087, RSMo, or section 537.600, RSMo;

(2) Any officer or employee of the state of Missouri or any agency of the state, including, without limitation, elected officials, appointees, members of state boards or commissions, and members of the Missouri national guard upon conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state, or any agency of the state, provided that moneys in this fund shall not be available for payment of claims made under chapter 287, RSMo; or

(3) (a) Any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337 or 338, RSMo, who is employed by the state of Missouri or any agency of the state, under formal contract to conduct disability reviews on behalf of the department of elementary and secondary education or provide services to patients or inmates of state correctional facilities [or county jails] on a part-time basis, **and any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337, or 338, RSMo, who is under formal contract to provide services to patients or inmates at a county jail on a part-time basis;**

(b) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334, RSMo, and his professional corporation organized pursuant to chapter 356, RSMo, who is employed by or under contract with a city or county health department organized under chapter 192, RSMo, or chapter 205, RSMo, or a city health department operating under a city charter, or a combined city-county health department to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract without compensation or the physician is paid from no other source than a governmental agency except for patient co-payments required by federal or state law or local ordinance;

(c) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334, RSMo, who is employed by or under contract with a federally funded community health center organized under Section 315, 329, 330 or 340 of the Public Health Services Act (42 U.S.C. 216, 254c) to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract or employment agreement without compensation or the physician is paid from no other source than a governmental agency or such a federally funded community health center except for patient co-payments required by federal or state law or local ordinance. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of one million dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause against any such physician, and shall not exceed one million dollars for any one claimant;

(d) Any physician licensed pursuant to chapter 334, RSMo, who is affiliated with and receives no compensation from a nonprofit entity qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, which offers a free health screening in any setting or any physician, nurse, physician assistant, dental hygienist, or dentist licensed or registered pursuant to chapter 332, RSMo, chapter 334, RSMo, or chapter 335, RSMo, who provides medical, dental, or nursing treatment within the scope of his license or registration at a city or county health department organized under chapter 192, RSMo, or chapter 205, RSMo, a city health department operating under a city charter, or a combined city-county health department, or a nonprofit community health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, if such treatment is restricted to primary care and preventive health services, provided that such treatment shall not include the performance of an abortion, and if such medical, dental, or nursing services are provided by the physician, dentist, physician assistant, dental hygienist, or nurse without compensation. Medicaid or medicare payments for primary care and preventive health services provided by a physician, dentist, physician assistant, dental hygienist, or nurse who volunteers at a free health clinic is not compensation for the purpose of this section if the total payment is assigned to the free health clinic. For the purposes of the section, "free health clinic" means a nonprofit community health center qualified as exempt from federal taxation under Section 501 (c)(3) of the Internal Revenue Code of 1987, as amended, that provides primary care and preventive health services to people without health insurance coverage for the services provided without charge. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars. Liability or malpractice insurance obtained and maintained in force by or on behalf of any physician, dentist, physician assistant, dental hygienist, or nurse shall not be considered available to pay that portion of a judgment or claim for which the state legal expense fund is liable under this paragraph; or

(e) Any physician, nurse, physician assistant, dental hygienist, or dentist licensed or registered to practice medicine, nursing, or dentistry or to act as a physician assistant or dental hygienist in Missouri under the provisions of

chapter 332, RSMo, chapter 334, RSMo, or chapter 335, RSMo, who provides medical, nursing, or dental treatment within the scope of his license or registration to students of a school whether a public, private, or parochial elementary or secondary school, if such physician's treatment is restricted to primary care and preventive health services and if such medical, dental, or nursing services are provided by the physician, dentist, physician assistant, dental hygienist, or nurse without compensation. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars; or

(f) Staff employed by the juvenile division of any judicial circuit; or

(g) Any attorney licensed to practice law in the state of Missouri who practices law at or through a nonprofit community social services center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or through any agency of any federal, state, or local government, if such legal practice is provided by the attorney without compensation. In the case of any claim or judgment that arises under this subdivision, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars.

(h) Any claims against a health care professional who is deployed under the provision of section 44.045, RSMo, in which the claim is based on acts or omissions occurring during a period of deployment.

3. The department of health and senior services shall promulgate rules regarding contract procedures and the documentation of care provided under paragraphs (b), (c), (d), and (e) of subdivision (3) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to the provisions of section 105.721, provided in subsection 6 of this section, shall not apply to any claim or judgment arising under paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section. Any claim or judgment arising under paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721, to the extent damages are allowed under sections 538.205 to 538.235, RSMo. Liability or malpractice insurance obtained and maintained in force by any physician, dentist, physician assistant, dental hygienist, or nurse for coverage concerning his or her private practice and assets shall not be considered available under subsection 6 of this section to pay that portion of a judgment or claim for which the state legal expense fund is liable under paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section. However, a physician, nurse, dentist, physician assistant, or dental hygienist may purchase liability or malpractice insurance for coverage of liability claims or judgments based upon care rendered under paragraphs (c), (d), and (e) of subdivision (3) of subsection 2 of this section which exceed the amount of liability coverage provided by the state legal expense fund under those paragraphs. Even if paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section is repealed or modified, the state legal expense fund shall be available for damages which occur while the pertinent paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section is in effect.

4. The attorney general shall promulgate rules regarding contract procedures and the documentation of legal practice provided under subdivision (5) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to section 105.721 as provided in subsection 6 of this section shall not apply to any claim or judgment arising under subdivision (5) of subsection 2 of this section. Any claim or judgment arising under subdivision (5) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721 to the extent damages are allowed under sections 538.205 to 538.235, RSMo. Liability or malpractice insurance otherwise obtained and maintained in force shall not be considered available under subsection 6 of this section to pay that portion of a judgment or claim for which the state legal expense fund is liable under subdivision (5) of subsection 2 of this section. However, an attorney may obtain liability or malpractice insurance for coverage of liability claims or judgments based upon legal practice rendered under subdivision (5) of subsection 2 of this section that exceed the amount of liability coverage provided by the state legal expense fund under subdivision (5) of subsection 2 of this section. Even if subdivision (5) of subsection 2 of this section is repealed or amended, the state legal expense fund shall be available for damages that occur while the pertinent subdivision (5) of subsection 2 of this section is in effect.

5. All payments shall be made from the state legal expense fund by the commissioner of administration with the approval of the attorney general. Payment from the state legal expense fund of a claim or final judgment award against a physician, dentist, physician assistant, dental hygienist, or nurse described in paragraph (a), (b), (c), (d), or (e) of subdivision (3) of subsection 2 of this section, or against an attorney in subdivision (5) of subsection 2 of this section, shall only be made for services rendered in accordance with the conditions of such paragraphs.

6. Except as provided in subsection 3 of this section, in the case of any claim or judgment that arises under sections 537.600 and 537.610, RSMo, against the state of Missouri, or an agency of the state, the aggregate of payments from the state legal expense fund and from any policy of insurance procured pursuant to the provisions of section 105.721 shall not exceed the limits of liability as provided in sections 537.600 to 537.610, RSMo. No payment shall be made from the state legal expense fund or any policy of insurance procured with state funds pursuant to section 105.721 unless and until the benefits provided to pay the claim by any other policy of liability insurance have been exhausted.

7. The provisions of section 33.080, RSMo, notwithstanding, any moneys remaining to the credit of the state legal expense fund at the end of an appropriation period shall not be transferred to general revenue.

8. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is promulgated under the authority delegated in sections 105.711 to 105.726 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

105.726. 1. Nothing in sections 105.711 to 105.726 shall be construed to broaden the liability of the state of Missouri beyond the provisions of sections 537.600 to 537.610, RSMo, nor to abolish or waive any defense at law which might otherwise be available to any agency, officer, or employee of the state of Missouri. **Sections 105.711 to 105.726 do not waive the sovereign immunity of the state of Missouri.**

2. The creation of the state legal expense fund and the payment therefrom of such amounts as may be necessary for the benefit of any person covered thereby are deemed necessary and proper public purposes for which funds of this state may be expended.

3. **Moneys in the state legal expense fund shall not be available for the payment of any claim or any amount required by any final judgment rendered by a court of competent jurisdiction against a board of police commissioners established under chapter 84, RSMo, including the commissioners, any police officer, notwithstanding sections 84.330, 84.710, or other provision of law, other employees, agents, representatives, or any other individual or entity acting or purporting to act on its or their behalf. Such was the intent of the general assembly in the original enactment of sections 105.711 to 105.726, and it is made express by this section in light of the decision in Wayman Smith, III, et al. v. state of Missouri, Mo. Sup. Ct. January 11, 2005. Except that the commissioner of administration shall reimburse from the state legal expense fund, any board of police commissioners established under chapter 84, RSMo, for liability claims otherwise eligible for payment under section 105.711 paid by said boards on an equal share basis per claim up to a maximum of one million dollars per fiscal year.**

4. **If the representation of the attorney general is requested by a board of police commissioners, the attorney general shall represent, investigate, defend, negotiate, or compromise all claims under sections 105.711 to 105.726 for the board of police commissioners, any police officer, other employees, agents, representatives, or any other individual or entity acting or purporting to act on their behalf. The attorney general may establish procedures by rules and regulations promulgated under chapter 536, RSMo, under which claims must be referred for the attorney general's representation. The attorney general and the officials of the city which the police board represents shall meet and negotiate reasonable rates, fees, expenses, or charges that will fairly compensate the attorney general and the office of administration for the cost of the representation of the claims under this section.**

5. **Claims tendered to the attorney general promptly after the claim was asserted as required by section 105.716 and prior to August 28, 2005, may be investigated, defended, negotiated, or compromised by the attorney general and full payments may be made from the state legal expense fund on behalf of the entities and individuals described in this section as a result of the holding in Wayman Smith III et al. v. State of Missouri, Mo. Sup. Ct. January 11, 2005."; and**

Further amend the title and enacting clause accordingly.

On motion of Representative Byrd, **House Amendment No. 4** was adopted.

Representative Lipke offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Section 217.860, Page 13, Line 3, by deleting the phrase “**for nonviolent offenders**” on said line; and

Further amend said bill, Section 217.860, Page 13, Line 12, by deleting the word “**nonviolent**” on said line; and

Further amend said bill, Section 217.860, Page 13, Lines 14-16, by deleting all of said lines and renumbering remaining subdivisions accordingly; and

Further amend said bill, Section 217.860, Page 13, Line 17, by deleting the word “**nonviolent**” on said line; and

Further amend said bill, Section 217.860, Page 13, Lines 18-19, by deleting all of said lines and inserting in lieu thereof the following:

“(5) Information and research to assist the task force in determining which classes of offenders should be targeted in alternative sentencing programs”; and

Further amend said bill, Section 217.860, Page 13, Lines 24-25, by deleting all of said lines and inserting in lieu thereof the following:

“(3) Two probation and parole officers or supervisors who shall be appointed by the director of the division of probation and”; and

Further amend said bill, Section 217.860, Page 14, Lines 30-31, by deleting all of said lines and inserting in lieu thereof the following:

“(5) Two circuit or associate circuit judges who shall be appointed by the governor;”; and

Further amend said bill, Section 217.860, Page 14, Line 32, by deleting the word “**Three**” on said line and inserting in lieu thereof the word “**Two**”; and

Further amend said bill, Section 217.860, Page 14, Line 34, by inserting after the word “**governor**” on said line the following:

“(8) Two members of the house of representatives, one of whom shall be appointed by the speaker of the house and one of whom shall be appointed by the house minority leader;

(9) Two members of the senate, one of whom shall be appointed by the president pro tem of the senate and one of whom shall be appointed by the senate minority leader”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 5** was adopted.

Representative Wright (137) offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Page 8, Section 105.711, Line 184, by inserting after all of said line the following:

"210.116. 1. Except as otherwise provided in section 207.085, RSMo, a private contractor, as defined in subdivision (4) of section 210.110, with the children's division that receives state moneys from the division or the department for providing services to children and their families shall have qualified immunity from civil liability for providing such services when the child is not in the physical care of such private contractor to the same extent

that the children's division has qualified immunity from civil liability when the division or department directly provides such services.

2. This section shall not apply if a private contractor described above knowingly violates a stated or written policy of the division, any rule promulgated by the division, or any state law directly related to child abuse and neglect or any local ordinance relating to the safety condition of the property."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wright (137), **House Amendment No. 6** was adopted.

Representative Pratt offered **House Amendment No. 7**.

Representative Byrd raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Vogt offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Section 452.340, Page 18, Line 62, by inserting after the word "**hours**" on said line the following:

"**; however such five-month period of abatement shall only be granted one time for each child**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Vogt, **House Amendment No. 8** was adopted.

Representative Bringer offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Section 557.036, Page 39, Line 52, by inserting after all of said line the following:

"570.123. Civil action for damages for passing bad checks, only original holder may bring action--limitations--notice requirements--payroll checks, action to be against employer.--

In addition to all other penalties provided by law, any person who makes, utters, draws, or delivers any check, draft, or order for the payment of money upon any bank, savings and loan association, credit union, or other depository, financial institution, person, firm, or corporation which is not honored because of lack of funds or credit to pay or because of not having an account with the drawee and who fails to pay the amount for which such check, draft, or order was made in cash to the holder within thirty days after notice and a written demand for payment, deposited as certified or registered mail in the United States mail, or by regular mail, supported by an affidavit of service by mailing, notice deemed conclusive three days following the date the affidavit is executed, and addressed to the maker and to the endorser, if any, of the check, draft, or order at each of their addresses as it appears on the check, draft, or order or to the last known address, shall, in addition to the face amount owing upon such check, draft, or order, be liable to the holder for three times the face amount owed or one hundred dollars, whichever is greater, plus **reasonable** attorney fees incurred in bringing an action pursuant to this section. Only the original holder, whether the holder is a person, bank, savings and loan association, credit union, or other depository, financial institution, firm or corporation, may bring an action pursuant to this section. No original holder shall bring an action pursuant to this section if the original holder has been paid the face amount of the check and costs recovered by the prosecuting attorney or circuit attorney pursuant to

subsection 6 of section 570.120. If the issuer of the check has paid the face amount of the check and costs pursuant to subsection 6 of section 570.120, such payment shall be an affirmative defense to any action brought pursuant to this section. The original holder shall elect to bring an action pursuant to this section or section 570.120, but may not bring an action pursuant to both sections. In no event shall the damages allowed pursuant to this section exceed five hundred dollars, exclusive of **reasonable** attorney fees. In situations involving payroll checks, the damages allowed pursuant to this section shall only be assessed against the employer who issued the payroll check and not against the employee to whom the payroll check was issued. The provisions of sections 408.140 and 408.233, RSMo, to the contrary notwithstanding, a lender may bring an action pursuant to this section. The provisions of this section will not apply in cases where there exists a bona fide dispute over the quality of goods sold or services rendered.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 9** was adopted.

Representative Hughes offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Section 590.180, Page 42, Line 29, by inserting after all of said line the following:

“595.211. 1. Beginning January 1, 2006, the court in any criminal case involving any sexual offense under chapter 566, 568, or 573, RSMo, shall order that the personally identifying information of any victim of such offense, regardless of age or sex, shall be redacted from any court records of such case prior to such records being made available to any person other than those listed in subsection 3 of this section. The court shall order that such information be redacted unless:

- (1) The victim consents to the release of the personally identifying information or any portion thereof;**
- (2) The court on its own motion orders the release of the information or any portion thereof; or**
- (3) The court for good cause shown by motion of any party at any time orders the release of the information or any portion thereof.**

2. In any order redacting any personally identifying information pursuant to subsection 1 of this section, the court shall require that the victim's name be replaced with the name Jane Doe for female victims or John Doe for male victims, prior to the release of any such records to any person not listed in subsection 3 of this section.

3. The only persons who shall have access to the victims' personally identifying information pursuant to the provisions of this section are the victim, the court, the department of corrections, law enforcement officers, prosecuting or circuit attorneys and their staff members. The defendant, and the defendant's attorneys shall have access only to such personally identifying information as the court deems necessary to ensure the rights of the defendant.

4. For the purposes of this section, “personally identifying information” shall include but not be limited to the victim’s name, address, date of birth, social security number, and telephone number.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hughes, **House Amendment No. 10** was adopted.

Representative Johnson (90) offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, Section 210.117, Pages 9-10, Lines 30-42, by deleting all of said lines and inserting in lieu thereof the following:

“3. In any case where the children’s division determines, based on a substantiated report of child abuse, that a child has abused another child, the abusing child shall be prohibited from returning to or residing in any residence, facility, or school within one thousand feet of the residence of the abused child, unless and until a court of competent jurisdiction determines that the alleged abuse did not occur or the abused child reaches the age of eighteen, whichever earlier occurs. The provisions of this subsection shall not apply when the abusing child and the abused child are children living in the same home.”; and

Further amend said bill, Section 211.038, Page 13, Lines 31-36, by deleting all of said lines and inserting in lieu thereof the following:

“211.181. 1. When a child or person seventeen years of age is found by the court to come within the applicable provisions of subdivision (1) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child or person seventeen years of age, and the court may, by order duly entered, proceed as follows:

(1) Place the child or person seventeen years of age under supervision in his own home or in the custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child or person seventeen years of age to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes; except that, such child or person seventeen years of age may not be committed to the department of social services, division of youth services;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive the child or person seventeen years of age in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child or person seventeen years of age in a family home;

(4) Cause the child or person seventeen years of age to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child or person seventeen years of age requires it, cause the child or person seventeen years of age to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child or person seventeen years of age whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) The court may order, pursuant to subsection 2 of section 211.081, that the child receive the necessary services in the least restrictive appropriate environment including home and community-based services, treatment and support, based on a coordinated, individualized treatment plan. The individualized treatment plan shall be approved by the court and developed by the applicable state agencies responsible for providing or paying for any and all appropriate and necessary services, subject to appropriation, and shall include which agencies are going to pay for and provide such services. Such plan must be submitted to the court within thirty days and the child's family shall actively participate in designing the service plan for the child or person seventeen years of age;

(6) The department of social services, in conjunction with the department of mental health, shall apply to the United States Department of Health and Human Services for such federal waivers as required to provide services for such children, including the acquisition of community-based services waivers.

2. When a child is found by the court to come within the provisions of subdivision (2) of subsection 1 of section 211.031, the court shall so decree and upon making a finding of fact upon which it exercises its jurisdiction over the child, the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

- (2) Commit the child to the custody of:
 - (a) A public agency or institution authorized by law to care for children or place them in family homes; except that, a child may be committed to the department of social services, division of youth services, only if he is presently under the court's supervision after an adjudication under the provisions of subdivision (2) or (3) of subsection 1 of section 211.031;
 - (b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;
 - (c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or
 - (d) The juvenile officer;
- (3) Place the child in a family home;
- (4) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;
- (5) Assess an amount of up to ten dollars to be paid by the child to the clerk of the court.

Execution of any order entered by the court pursuant to this subsection, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed.

3. When a child is found by the court to come within the provisions of subdivision (3) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child, and the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his or her own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require; **provided that, no child who has been adjudicated a delinquent by a juvenile court for committing or attempting to commit a sex-related offense which if committed by an adult would be considered a felony offense pursuant to chapter 566, RSMo, including but not limited to rape, forcible sodomy, child molestation, and sexual abuse, and in which the victim was a child, shall be placed in any residence within one thousand feet of the residence of the victim of that offense until the victim reaches the age of eighteen, and provided further that the provisions of this subdivision regarding placement within one thousand feet of the victim child shall not apply when the abusing child and the victim are children living in the same home;**

- (2) Commit the child to the custody of:
 - (a) A public agency or institution authorized by law to care for children or to place them in family homes;
 - (b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;
 - (c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or
 - (d) The juvenile officer;
- (3) Beginning January 1, 1996, the court may make further directions as to placement with the division of youth services concerning the child's length of stay. The length of stay order may set forth a minimum review date;
- (4) Place the child in a family home;
- (5) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;
- (6) Suspend or revoke a state or local license or authority of a child to operate a motor vehicle;
- (7) Order the child to make restitution or reparation for the damage or loss caused by his offense. In determining the amount or extent of the damage, the court may order the juvenile officer to prepare a report and may receive other evidence necessary for such determination. The child and his attorney shall have access to any reports which may be prepared, and shall have the right to present evidence at any hearing held to ascertain the amount of damages. Any restitution or reparation ordered shall be reasonable in view of the child's ability to make payment or to

perform the reparation. The court may require the clerk of the circuit court to act as receiving and disbursing agent for any payment ordered;

(8) Order the child to a term of community service under the supervision of the court or of an organization selected by the court. Every person, organization, and agency, and each employee thereof, charged with the supervision of a child under this subdivision, or who benefits from any services performed as a result of an order issued under this subdivision, shall be immune from any suit by the child ordered to perform services under this subdivision, or any person deriving a cause of action from such child, if such cause of action arises from the supervision of the child's performance of services under this subdivision and if such cause of action does not arise from an intentional tort. A child ordered to perform services under this subdivision shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo, nor shall the services of such child be deemed employment within the meaning of the provisions of chapter 288, RSMo. Execution of any order entered by the court, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed;

(9) When a child has been adjudicated to have violated a municipal ordinance or to have committed an act that would be a misdemeanor if committed by an adult, assess an amount of up to twenty-five dollars to be paid by the child to the clerk of the court; when a child has been adjudicated to have committed an act that would be a felony if committed by an adult, assess an amount of up to fifty dollars to be paid by the child to the clerk of the court.

4. Beginning January 1, 1996, the court may set forth in the order of commitment the minimum period during which the child shall remain in the custody of the division of youth services. No court order shall require a child to remain in the custody of the division of youth services for a period which exceeds the child's eighteenth birth date except upon petition filed by the division of youth services pursuant to subsection 1 of section 219.021, RSMo. In any order of commitment of a child to the custody of the division of youth services, the division shall determine the appropriate program or placement pursuant to subsection 3 of section 219.021, RSMo. Beginning January 1, 1996, the department shall not discharge a child from the custody of the division of youth services before the child completes the length of stay determined by the court in the commitment order unless the committing court orders otherwise. The director of the division of youth services may at any time petition the court for a review of a child's length of stay commitment order, and the court may, upon a showing of good cause, order the early discharge of the child from the custody of the division of youth services. The division may discharge the child from the division of youth services without a further court order after the child completes the length of stay determined by the court or may retain the child for any period after the completion of the length of stay in accordance with the law.

5. When an assessment has been imposed under the provisions of subsection 2 or 3 of this section, the assessment shall be paid to the clerk of the court in the circuit where the assessment is imposed by court order, to be deposited in a fund established for the sole purpose of payment of judgments entered against children in accordance with section 211.185."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson (90), **House Amendment No. 11** was adopted.

On motion of Representative Byrd, **HCS SCS SBs 420 & 344, as amended**, was adopted.

On motion of Representative Byrd, **HCS SCS SBs 420 & 344, as amended**, was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Fraser	George

Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Wagner	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 012

Bowman	Daus	El-Amin	Franz	Haywood
Hoskins	Hubbard	Johnson 61	Oxford	Villa
Walton	Wright-Jones			

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 002

Boykins	Vogt
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SB 280, relating to licensure of cosmetologists, was taken up by Representative Wasson.

Representative Ruestman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 280, Page 1, Section A, Line 2, by inserting after all of said line the following:

"328.010. **As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:**

(1) **"Barber"**, any person who is engaged in the capacity so as to shave the beard or cut and dress the hair for the general public, shall be construed as practicing the occupation of "barber", and the said barber or barbers shall be required to fulfill all requirements within the meaning of this chapter;

(2) **"Barber establishment"**, that part of any building wherein or whereupon any occupation of barbering is being practiced including any space or barber chair rented within a licensed establishment by a person licensed under this chapter, for the purpose of rendering barbering services;

- (3) "Board", the board of cosmetology and barber examiners;
- (4) "Cross-over license", a license that is issued to any person who has met the licensure and examination requirements for both barbering and cosmetology;
- (5) "School of barbering", an establishment operated for the purpose of teaching barbering as defined in subdivision (1) of this section.

328.015. 1. Upon appointment by the governor and confirmation by the senate of the board, the board of barber examiners shall be abolished and its duties and responsibilities shall merge into the board as established under section 329.015, RSMo. The board shall be a continuance of and shall carry out the duties of the board of barber examiners.

2. Upon appointment by the governor and confirmation by the senate of the board, all of the powers, duties, and functions of the board of barber examiners shall be transferred to, conferred, and imposed upon the board. The board shall be the successor in every way to the powers, duties, and functions of the board of barber examiners.

3. Every act performed in the exercise of such powers, duties, and authorities by or under the authority of the board shall be deemed to have the same force and effect as if performed by the board of barber examiners under this chapter, including any amendments thereto effective with the passage of this section or prior to the effective date of this section.

4. All rules of the board of barber examiners and any amendments to such rules shall continue to be effective and shall be deemed to be duly adopted rules of the board until revised, amended, or repealed by the board. The board shall review such rules and shall adopt new rules as required for the administration of this chapter for barbers and cosmetologists.

5. Any person or entity licensed or provisionally licensed by the board of barber examiners prior to the appointment by the governor and confirmation by the senate of the board, shall be considered licensed in the same manner by the board.

328.020. It shall be unlawful for any person to [follow] **practice** the occupation of a barber in this state, unless he **or she** shall have first obtained a [certificate of registration] **license**, as provided in this chapter.

328.070. [Such] **The** board shall hold public examinations at least four times in each year, at such times and places as it may deem advisable, notice of such [meetings] **examinations** to be [given by publication thereof] **published** at least ten days prior to [such meetings, in at least two newspapers published in this state, in the locality of each proposed meeting] **the date of the examination. The board shall publish its notice of the examination date, place, and time in any manner that it deems appropriate. In lieu of holding its own examinations for barber applicants, the board may contract with an outside entity qualified to examine applicants for licensure.**

328.075. 1. Any person desiring to practice as an apprentice for barbering in this state shall apply to the board, [register] **shall be registered** as an apprentice with the board, and shall pay the appropriate fees prior to beginning their apprenticeship. Barber apprentices shall be of good moral character and shall be at least seventeen years of age.

2. Any person desiring to act as an apprentice supervisor for barbering in this state shall first possess a license to practice the occupation of barbering, apply to the board, pay the appropriate fees, complete an eight-hour apprentice supervision instruction course certified by the board, and be issued a [certificate of registration] **license** as a barber apprentice supervisor prior to supervising barber apprentices.

3. The board may promulgate rules establishing the criteria for the supervision and training of barber apprentices.

4. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

328.080. 1. Any person desiring to practice barbering in this state shall make application for a [certificate] **license** to the board and shall pay the required barber examination fee. [He or she shall be present at the next regular meeting of the board for the examination of applicants.]

2. The board shall examine [the] **each qualified** applicant and, upon successful completion of the examination and payment of the required [registration] **license** fee, shall issue [to him or her] **the applicant** a [certificate of registration] **license** authorizing him or her to practice the [trade] **occupation of barber** in this state [and enter his name in the register herein provided for]. **The board shall admit an applicant to the examination**, if it finds that he or she:

- (1) Is seventeen years of age or older and of good moral character;
- (2) Is free of contagious or infectious diseases;
- (3) Has studied for at least one thousand hours in a period of not less than six months in a properly appointed and conducted barber school under the direct supervision of a licensed instructor; or, if the applicant is an apprentice, the applicant shall have served and completed no less than two thousand hours under the direct supervision of a licensed barber apprentice supervisor;
- (4) Is possessed of requisite skill in the trade of barbering to properly perform the duties thereof, including the preparation of tools, shaving, haircutting and all the duties and services incident thereto; and
- (5) Has sufficient knowledge of the common diseases of the face and skin to avoid the aggravation and spread thereof in the practice of barbering.

3. The board shall be the judge of whether the barber school, the barber apprenticeship, or college is properly appointed and conducted under proper instruction to give sufficient training in the trade.

4. The sufficiency of the qualifications of applicants shall be determined by the board.

5. For the purposes of meeting the minimum requirements for examination, the apprentice training shall be recognized by the board for a period not to exceed five years.

328.085. 1. The board shall grant without examination a license to practice barbering to any applicant who holds a [valid] **current** barber's license which is issued by another state or territory whose requirements for licensure were equivalent to the licensing requirements in effect in Missouri at the time the applicant was licensed or who has practiced the trade in another state for at least two **consecutive** years. **An applicant under this section shall pay the appropriate application and licensure fees at the time of making application. A licensee who is currently under disciplinary action with another board of barbering shall not be licensed by reciprocity under the provisions of this chapter.**

2. Any person who has lawfully practiced or received training in another state who does not qualify for licensure without examination may apply to the board for licensure by examination. Upon application to the board, the board shall evaluate the applicant's experience and training to determine the extent to which the applicant's training and experience satisfies current Missouri licensing requirements and shall notify the applicant regarding his deficiencies and inform the applicant of the action which he must take to qualify to take the examination.

3. The applicant for licensure under this section shall pay a fee equivalent to the barber examination fee.

328.090. Any person desiring to teach barbering in this state in a barber school, college or barber shop must first possess a [certificate of registration] **license** to practice the occupation of barbering and make application to [appear before said] **the** board for an examination as a teacher or instructor in said occupation and shall pay the required instructor examination fee. The board shall examine such applicant and after finding that he **or she** is duly qualified to teach said occupation, [said] **the** board shall issue to him **or her** a [certificate of registration] **license** entitling him **or her** to teach barbering in this state, subject to all the provisions of this chapter. Holders of [certificates] **licenses** to teach barbering shall, on or before the expiration of their respective [certificates] **licenses**, make application for the renewal of same, and shall in each case pay the instructor renewal fee. Should any person holding a [certificate] **license** to teach barbering fail to renew same within the time prescribed herein, such person shall be required to pay a reinstatement fee in addition to the regular [registration] **license** fee provided for herein. Any person failing to renew his [certificate of registration] **or her license** to teach barbering for a period not exceeding two years may reinstate said [certificate of registration] **license** upon the payment of the renewal fee in addition to the reinstatement fee, but any person failing to renew his [certificate of registration] **or her license** to teach barbering for a period exceeding two years and desiring to be [reregistered] **licensed** as a teacher of barbering in this state will be required to [appear before said board and] pass a satisfactory examination as to his **or her** qualifications to teach barbering and shall pay the instructor examination fee.

328.110. 1. Every person engaged in barbering shall on or before the renewal date apply for the renewal of his or her [certificate of registration] **license**.

2. Each application for renewal shall state the number of [applicant's] **the licensee's** expiring [certificate] **license**, and be accompanied by his or her renewal fee. Any person holding a [certificate of registration] **license** as a barber, except as herein provided, who fails to apply for renewal within two months of the expiration date of his or her [certificate of registration] **license**, shall pay a reinstatement fee in addition to the regular [registration] **license** renewal

fee. Any person who fails to renew his or her [certificate of registration] **license**, except as herein provided, for a period not exceeding two years may reinstate his or her [certificate of registration] **license** upon payment of the [registration] **license** renewal fee for each delinquent year in addition to the reinstatement fee prescribed herein, but any barber, except as herein provided, who fails to renew his or her [certificate of registration] **license** for a period exceeding two years but less than five years and desires to be [reregistered] **licensed** as a barber in this state will be required to [appear before the board and] pass the practicum portion of the [state] **state's** licensing examination as to his or her qualifications to practice barbering and shall pay the barber examination fee.

3. A holder of a [certificate of registration] **barber license** who has been honorably discharged from the United States armed forces, and has not renewed his or her [certificate of registration] **license** as herein provided, shall, upon his or her return to barbering within one year from date of honorable discharge, pay one dollar for renewal of same.

328.115. 1. The owner of every shop or establishment in which the occupation of barbering is practiced shall obtain a [certificate of registration] **license** for such shop or establishment issued by the board before barbering is practiced therein. A new [certificate of registration] **license** shall be obtained for a barber shop or establishment before barbering is practiced therein when the shop or establishment changes ownership or location.

2. The board shall issue a [certificate of registration] **license** for a shop or establishment upon receipt of [a registration] **the license** fee from the applicant if the board finds that the shop or establishment complies with the sanitary regulations adopted pursuant to section 328.060. All shops or establishments shall continue to comply with the sanitary regulations. Failure of a shop or establishment to comply with the sanitary regulations shall be grounds for the board to file a complaint with the administrative hearing commission to revoke or suspend the [certificate of registration] **license** for the shop or censure or place on probation the holder thereof.

3. The [certificate of registration] **license** for a shop or establishment shall be renewable. The applicant for renewal of the [certificate] **license** shall on or before the renewal date submit [a] **the completed renewal application accompanied by the required** renewal fee. If the renewal **application and** fee [is] **are** not submitted [on or before] **within thirty days following** the renewal date [and if the fee remains unpaid for thirty days thereafter], a penalty fee plus the renewal fee shall be paid to renew the [certificate] **license**. If a new shop opens any time during the licensing period and does not register **a license** before opening, there shall be a delinquent fee in addition to the regular fee. The [certificate of registration must] **license shall** be kept posted in plain view within the shop or establishment at all times.

328.120. 1. Any firm, corporation or person, [desiring to conduct a barber school or college in this state, shall first secure from the board a permit to do so, and shall keep the same prominently displayed. There shall be a permit fee to be paid on or before the permit renewal date.] **may make application to the board for a license to own and operate a barber school or college on the form prescribed by the board. Every barber school or college in which the occupation of barbering is taught shall be required to obtain a license from the board prior to opening. The license shall be issued upon approval of the application by the board, the payment of the required fees, and the board's determination that the applicant meets all other requirements of this chapter and any rules promulgated thereunder. The license shall be kept posted in plain view within the barber school or college at all times.**

2. **A barber school or college license renewal application and fee shall be submitted on or before the renewal date of any school or college license issued under this section. If the barber school or college license renewal fee is not paid on or before the renewal date, a late fee shall be added to the regular license renewal fee.**

3. The board shall promulgate rules and regulations regarding the course of study in [the] **a barber** school or college, and may revoke any [permit] **license** issued hereunder for any violation of the provisions of this section or rule promulgated pursuant to this section. The board shall follow the procedure prescribed by chapter 621, RSMo, to revoke a barber school [permit] **license**. [Permits] **License** shall not be restricted to any one group or person but shall be granted to any reasonably qualified person or group under a fair and nondiscriminating method of determination.

[2.] **4.** There shall be not less than one teacher or instructor for every fifteen students in any barber school or college holding a [permit] **license** under this section.

[3.] **5.** The barber school or college shall immediately file with the board the name and age of each student entering the school, and the board shall cause the same to be entered in a register kept for that purpose. A registration fee shall be paid by the student.

[4.] **6.** The barber school or college shall certify to the board the names of all students who successfully completed a course of study approved by the board and consisting of at least one thousand hours of study under the direct supervision of a licensed instructor in a period of not less than six months.

[5.] **7.** No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

328.130. [There shall be furnished to each person to whom a certificate of registration is issued a card or certificate certifying that] **The board shall issue a printed license to each person successfully meeting the board's requirements for licensure, which shall be evidence** the holder thereof is entitled to practice the occupation of [barber] **barbering** in this state[, and it shall be the duty of the holder of such card or certificate to]. **The licensee shall** post [the same] **his or her license** in a conspicuous place in front of his **or her** working chair where it may be readily seen by all persons whom he **or she** may serve.

328.160. Any person practicing the occupation of [barber] **barbering** without having obtained a [certificate of registration or permit] **license** as provided in this chapter, or willfully employing a barber who [has not such certificate or permit] **does not hold a valid license issued by the board**, managing or conducting a barber school or college[,] without first securing a [permit] **license** from [such] **the** board, or falsely pretending to be qualified to practice as a barber or instructor or teacher of such occupation under this chapter, or failing to keep [the certificate, card or permit mentioned in] **any license required by** this chapter properly displayed or for any extortion or overcharge practiced, and any barber college, firm, corporation or person operating or conducting a barber college without first having secured the [permit provided for] **license required** by this chapter, or failing to comply with such sanitary rules as the board, in conjunction with the department of health and senior services, prescribes, or for the violation of any of the provisions of this chapter, shall be deemed guilty of a class C misdemeanor. Prosecutions under this chapter shall be initiated and carried on in the same manner as other prosecutions for misdemeanors in this state.

329.010. As used in this chapter, unless the context clearly indicates otherwise, the following words and terms mean:

(1) **"Accredited school of cosmetology or school of manicuring", an establishment operated for the purpose of teaching cosmetology as defined in this section and meeting the criteria set forth under 34 C.F.R. Part 600, sections 600.1 and 600.2;**

(2) "Apprentice" or "student", a person who is engaged in training within a cosmetology establishment or school, and while so training performs any of the practices of the classified occupations within this chapter under the immediate direction and supervision of a [registered] **licensed** cosmetologist or instructor;

[(2)] (3) "Board", the state board of cosmetology **and barber examiners**;

[(3)] (4) "Cosmetologist", any person who, for compensation, engages in the practice of cosmetology, as defined in subdivision [(4)] (5) of this section;

[(4)] (5) "Cosmetology" includes performing or offering to engage in any acts of the classified occupations of cosmetology for compensation, which shall include:

(a) "Class CH - hairdresser" includes arranging, dressing, curling, singeing, waving, permanent waving, cleansing, cutting, bleaching, tinting, coloring or similar work upon the hair of any person by any means; or removing superfluous hair from the body of any person by means other than electricity, or any other means of arching or tinting eyebrows or tinting eyelashes. Class CH - hairdresser, also includes, any person who either with the person's hands or with mechanical or electrical apparatuses or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams engages for compensation in any one or any combination of the following: massaging, cleaning, stimulating, manipulating, exercising, beautifying or similar work upon the scalp, face, neck, arms or bust;

(b) "Class MO - manicurist" includes cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's fingernails, applying artificial fingernails, massaging, cleaning a person's hands and arms; pedicuring, which includes, cutting, trimming, polishing, coloring, tinting, cleaning or otherwise beautifying a person's toenails, applying artificial toenails, massaging and cleaning a person's legs and feet;

(c) "Class CA - hairdressing and manicuring" includes all practices of cosmetology, as defined in paragraphs (a) and (b) of this subdivision;

(d) "Class E - estheticians" includes the use of mechanical, electrical apparatuses or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams, not to exceed ten percent phenol, engages for compensation, either directly or indirectly, in any one, or any combination, of the following practices: massaging, cleansing, stimulating, manipulating, exercising, beautifying or similar work upon the scalp, face, neck, ears, arms, hands, bust, torso, legs or feet and removing superfluous hair by means other than electric needle or any other means of arching or tinting eyebrows or tinting eyelashes, of any person;

[(5)] (6) "Cosmetology establishment", that part of any building wherein or whereupon any of the classified occupations are practiced including any space rented within a licensed establishment by a person licensed under this chapter, for the purpose of rendering cosmetology services;

[(6)] (7) **"Cross-over license", a license that is issued to any person who has met the licensure and examination requirements for both barbering and cosmetology;**

(8) "Hairdresser", any person who, for compensation, engages in the practice of cosmetology as defined in paragraph (a) of subdivision [(4)] (5) of this section;

[(7)] (9) "Instructor", any person who is licensed to teach cosmetology or any practices of cosmetology pursuant to this chapter;

[(8)] (10) "Manicurist", any person who, for compensation, engages in any or all of the practices in paragraph (b) of subdivision [(4)] (5) of this section;

[(9)] (11) **"Parental consent", the written informed consent of a minor's parent or legal guardian that must be obtained prior to providing body waxing on or near the genitalia;**

(12) "School of cosmetology" or "school of manicuring", an establishment operated for the purpose of teaching cosmetology as defined in subdivision [(4)] (5) of this section.

329.015. 1. There is hereby created and established a "Board of Cosmetology and Barber Examiners" for the purpose of licensing all persons engaged in the practice of cosmetology, manicuring, esthetics, and barbering, including but not limited to shaving or trimming the beard or cutting the hair; and to fulfill all other duties and responsibilities delegated by chapter 328, RSMo, as it pertains to barbers and this chapter as it pertains to cosmetologists. The duties and responsibilities of the board of cosmetology and barber examiners as such duties and responsibilities pertain to barbers and cosmetologists shall not take full force and effect until such time as the governor appoints the members of the board of cosmetology and barber examiners and the appointments are confirmed by the senate. At such time, the powers and duties of the board of barber examiners and the state board of cosmetology shall be merged into the board under section 329.023.

2. The governor shall appoint members to the board by and with the advice and consent of the senate. The board shall consist of eleven members each of whom are United States citizens and who have been residents of this state for at least one year immediately preceding their appointment. Of these eleven members, three shall be licensed cosmetologists holding a Class CA license classification, one shall be an accredited cosmetology school owner as defined in section 329.010, one shall be the owner of a school licensed under subsection 1 of section 329.040, one shall be a cosmetologist with a license of any type of cosmetology classification, three shall be licensed barbers, and two shall be voting public members. All members, except the public members and the accredited cosmetology school owner member, shall be cosmetologists and barbers duly registered as such and licensed under the laws of this state and shall have been actively engaged in the lawful practice of their profession for a period of at least five years immediately preceding their appointment. All members of the board, including public members and the accredited cosmetology school owner member, shall be chosen from lists submitted by the director of the division of professional registration.

3. Upon the appointment of the initial board members, at least two cosmetologist members and two barber members shall be appointed by the governor to serve a term of four years; two cosmetologist members, one barber member and a public member shall be appointed to serve a term of three years, and the remaining members of the initial board shall be appointed for a term of two years. Thereafter, all members shall be appointed by the governor by and with the advice and consent of the senate to serve four-year terms. The governor shall appoint members to fill any vacancies, whether it occurs by the expiration of a term or otherwise; provided, however, that any board member shall serve until his or her successor is appointed and duly qualified. No person shall be eligible for reappointment that has served as a member of the board for a total of twelve years.

4. At the time of appointment, the public members shall be citizens of the United States, residents of this state for a period of at least one year immediately preceding their appointment, and a registered voter. The public members and the spouse of such members shall be persons who are not and never were a member of any profession licensed or regulated by the board. The public members and the spouse of such members shall be persons who do not have and never have had a material financial interest in the provision of the professional services regulated by the board, or an activity or organization directly related to any professions licensed or regulated by the board. The duties of the public members and the accredited school owner member shall not include the determination of the technical requirements to be met for licensure, or whether any person meets such technical requirements, or of the technical competence or technical judgment of a licensee or a candidate for licensure.

5. Any member who is a school owner shall not be allowed access to the testing and examination materials nor shall any such member be allowed to attend the administration of the examinations, except when such member is being examined for licensure.

6. The members of the board shall receive as compensation for their services the sum set by the board not to exceed seventy dollars for each day actually spent in attendance at meetings of the board plus actual and necessary expenses.

329.023. 1. Upon appointment by the governor and confirmation by the senate of the board, the state board of cosmetology is abolished and its duties and responsibilities shall merge into the board as established under section 329.015. The board shall be a continuance of and shall carry out the duties of the state board of cosmetology.

2. Upon appointment by the governor and confirmation by the senate of the board, all of the powers, duties, and functions of the state board of cosmetology are transferred to, conferred, and imposed upon the board. The board shall be the successor in every way to the powers, duties, and functions of the state board of cosmetology.

3. Every act performed in the exercise of such powers, duties, and authorities by or under the authority of the board shall be deemed to have the same force and effect as if performed by the state board of cosmetology under this chapter, including any amendments thereto effective with the passage of this law or prior to the effective date of this section.

4. All rules and regulations of the state board of cosmetology and any amendments thereto shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the board until revised, amended, or repealed by the board. The board shall review such rules and regulations and shall adopt new rules as required for the administration of the licensure law for barbers and cosmetologists.

5. Any person or entity licensed or provisionally licensed by the state board of cosmetology prior to the appointment by the governor and confirmation by the senate of the board, shall be considered licensed in the same manner by the board of cosmetology and barber examiners.

329.025. 1. The board shall have power to:

(1) Prescribe by rule for the examination of applicants for licensure to practice the classified occupations of barbering and cosmetology and issue licenses;

(2) Prescribe by rule for the inspection of barber and cosmetology establishments and schools and appoint the necessary inspectors and examining assistants;

(3) Prescribe by rule for the inspection of establishments and schools of barbering and cosmetology as to their sanitary conditions and to appoint the necessary inspectors and, if necessary, examining assistants;

(4) Set the amount of the fees that this chapter and chapter 328 authorize and require, by rules promulgated under section 536.021, RSMo. The fees shall be set at a level sufficient to produce revenue that shall not substantially exceed the cost and expense of administering this chapter and chapter 328;

(5) Employ and remove board personnel, as set forth in subdivision (4) of subsection 15 of section 620.010, RSMo, including an executive secretary or comparable position, inspectors, investigators, legal counsel and secretarial support staff, as may be necessary for the efficient operation of the board, within the limitations of its appropriation;

(6) Elect one of its members president, one vice president, and one secretary with the limitation that no single profession can hold the positions of president and vice president at the same time;

(7) Promulgate rules necessary to carry out the duties and responsibilities designated by this chapter and chapter 328;

(8) Determine the sufficiency of the qualifications of applicants; and

(9) Prescribe by rule the minimum standards and methods of accountability for the schools of barbering and cosmetology licensed under this chapter and chapter 328.

2. The board shall create no expense exceeding the sum received from time to time from fees imposed under this chapter and chapter 328.

3. A majority of the board, with at least one representative of each profession being present, shall constitute a quorum for the transaction of business.

4. The board shall meet not less than six times annually.

5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in chapters 328 and 329 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

329.028. 1. There is hereby created in the state treasury a fund to be known as the "Board of Cosmetology and Barber Examiners Fund", which shall consist of all moneys collected by the board. All fees

provided for in this chapter and chapter 328 shall be payable to the director of the division of professional registration in the department of economic development, who shall keep a record of the account showing the total payments received and shall immediately thereafter transmit them to the department of revenue for deposit in the state treasury to the credit of the board of cosmetology and barber examiners fund. All the salaries and expenses for the operation of the board shall be appropriated and paid from such fund.

2. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule license renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

3. Upon appointment by the governor and confirmation by the senate of the board, all moneys deposited in the board of barbers fund created in section 328.050, RSMo, and the state board of cosmetology fund created in section 329.240, shall be transferred to the board of cosmetology and barber examiners fund created in subsection 1 of this section. The board of barbers fund and the state board of cosmetology fund shall be abolished when all moneys are transferred to the board of cosmetology and barber examiners fund.

329.035. 1. For the purposes of this section, "person employed in retail cosmetic sales" means any person who assists customers to select cosmetics by allowing the customer to apply samples of demonstration cosmetics, assisting the customer to apply cosmetics, or applying the cosmetic to the customer. There shall be no skin-to-skin contact between the salesperson and the customer. Assisted cosmetic applications by the customer or the person employed in retail cosmetic sales shall be performed with single-use applicators, except for perfume or cologne, samples applied to the hand or the arm or dispensed from a tube, pump, spray or shaker container, or samples or applicators that have been cleansed before each use or application. No person employed in retail cosmetic sales as provided in this section shall accept any remuneration from the customer for performing any of the acts described in this section or make such assistance or application conditioned on any sale.

2. A [certificate of registration as provided in] **license as required under** section 329.030 is not required for persons who are employed in retail cosmetic sales if such persons do not hold themselves out to have a license, permit, certificate of registration or any other authority authorizing such person to practice the professions licensed by the board.

3. The board may promulgate rules establishing minimum sanitation standards for persons employed in retail cosmetic sales, but such rules shall not require a sink at the cosmetic counter for a source and drainage of water or any other electrical sanitation equipment required in hairdressing or cosmetologist's or manicurist's shops licensed pursuant to this chapter. The board may inspect retail cosmetic sales establishments to ensure compliance with this section and rules promulgated thereunder.

329.045. Every establishment in which the occupation of cosmetology is practiced shall be required to obtain a license from the [state] board [of cosmetology]. Every establishment required to be licensed shall pay to the [state] **board** an establishment fee for the first three licensed cosmetologists esthetician and/or manicurists, and/or apprentices and an additional fee for each additional licensee. The fee shall be due and payable on the renewal date and, if the fee remains unpaid thereafter, there shall be a late fee in addition to the regular establishment fee or, if a new establishment opens any time during the licensing period and does not register before opening, there shall be a delinquent fee in addition to the regular establishment fee. The license shall be kept posted in plain view within the establishment at all times."; and

Further amend said bill, Page 3, Section 329.050, Line 58, by inserting after all of said line the following:

"329.060. 1. Every person desiring to sit for the examination for any of the occupations provided for in this chapter shall file with the [state] board [of cosmetology] a written application on a form supplied to the applicant, and shall submit proof of the required age, educational qualifications, and of good moral character together with the required cosmetology examination fee. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration.

2. Upon the filing of the application and the payment of the fee, the [state] board [of cosmetology] shall, upon request, issue to the applicant, if the applicant is qualified to sit for the examination, a temporary license [for a definite period of time, but not beyond the release of the results from the next regular examination of applicants] for the

practicing of the occupations as provided in this chapter. Any person receiving a temporary license shall be entitled to practice the occupations designated on the temporary license, under the supervision of a person licensed in cosmetology, until the expiration of the temporary license. Any person continuing to practice the occupation beyond the expiration of the temporary license without being licensed in cosmetology as provided in this chapter is guilty of an infraction.

329.070. 1. Apprentices or students shall be licensed with the board and shall pay a student fee or an apprentice fee prior to beginning their course, and shall be of good moral character and have an education equivalent to the successful completion of the tenth grade.

2. An apprentice or student shall not be enrolled in a course of study that shall exceed [eight] **twelve** hours per day or that is less than three hours per day. The course of study shall be no more than [forty-eight] **seventy-two** hours per week and no less than fifteen hours per week.

3. Every person desiring to act as an apprentice in any of the classified occupations within this chapter shall file with the board a written application on a form supplied to the applicant, together with the required apprentice fee.

329.090. If the [state] board [of cosmetology] finds the applicant has submitted the credentials required for admission to the examination and has paid the required fee, the board shall admit such applicant to examination for licensure.

329.100. The examination of applicants for licenses to practice under this chapter shall be conducted under the rules prescribed by the [state] board [of cosmetology] and shall include both practical demonstrations and written and oral tests in reference to the practices for which a license is applied and such related studies and subjects as the [state] board [of cosmetology] may determine necessary for the proper and efficient performance of such practices and shall not be confined to any specific system or method, and such examinations shall be consistent with the practical and theoretical requirements of the classified occupation or occupations as provided by this chapter.

329.110. 1. If an applicant for examination for cosmetology passes the examination to the satisfaction of the [state] board [of cosmetology] and has paid the fee required and complied with the requirements pertaining to this chapter, the board shall cause to be issued a license to that effect. The license shall be evidence that the person to whom it is issued is entitled to engage in the practices, occupation or occupations stipulated therein as prescribed in this chapter. The license shall be conspicuously displayed in his or her principal office, place of business, or employment.

2. Whenever anyone who has been licensed in accordance with this chapter practices any of the occupations authorized in this chapter outside of or away from the person's principal office, place of business, or employment, he or she shall deliver to each person in his or her care a certificate of identification. This certificate shall contain his or her signature, the number and date of his or her license, the post office address and the date upon which the certificate of identification is delivered to the person under his or her care.

329.120. The holder of a license issued by the [state] board [of cosmetology] who continues in active practice or occupation shall on or before the license renewal date renew the holder's license and pay the renewal fee. A license which has not been renewed prior to the renewal date shall expire on the renewal date. The holder of an expired license may have the license restored within two years of the date of expiration without examination, upon the payment of a delinquent fee in addition to the renewal fee.

329.130. [The state board of cosmetology shall dispense with examinations of an applicant, as provided in this chapter, and shall grant licenses under the respective sections upon the payment of the required fees, provided that the applicant has complied with the requirements of another state, territory of the United States, or, District of Columbia wherein the requirements for licensure are substantially equal to those in force in this state at the time application for the license is filed and upon due proof that the applicant at time of making application holds a current license in the other state, territory of the United States, or District of Columbia, and upon the payment of a fee equal to the examination and licensing fees required to accompany an application for a license in cosmetology.] **1. The board shall grant without examination a license to practice cosmetology to any applicant who holds a current license that is issued by another state, territory of the United States, or the District of Columbia whose requirements for licensure are substantially equal to the licensing requirements in Missouri at the time the application is filed or who has practiced cosmetology for at least two consecutive years in another state, territory of the United States, or the District of Columbia. The applicant under this subsection shall pay the appropriate application and licensure fees at the time of making application.** A licensee who is currently under disciplinary action with another board of cosmetology shall not be licensed by reciprocity under the provisions of this chapter.

2. Any person who lawfully practiced or received training in another state who does not qualify for licensure without examination may apply to the board for licensure by examination. Upon application to the board, the board shall evaluate the applicant's experience and training to determine the extent to which the applicant's training and experience satisfies current Missouri licensing requirements and shall notify the applicant regarding his or her deficiencies and inform the applicant of the action that he or she must take to qualify to take the examination. The applicant for licensure under this subsection shall pay the appropriate examination and licensure fees.

329.265. [Until July 1, 1999, any person licensed in Missouri as a Class CH or CA cosmetologist pursuant to this chapter may be licensed as an esthetician without examination if such person applies to the state board of cosmetology and pays a fee, as established by the board. The state board of cosmetology shall notify, by October 1, 1998, by United States mail at their last known address, all persons licensed in Missouri as Class CH or CA cosmetologists of their rights as provided in this section to be licensed as an esthetician without examination.] After July 1, 1999, any licensed cosmetologist shall be required to complete the required training of seven hundred and fifty hours and pass the required examination **to be licensed as an esthetician.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ruestman, **House Amendment No. 1** was adopted.

On motion of Representative Wasson, **SB 280, as amended**, was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 002

Brooks	Johnson 61
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ABSENT WITH LEAVE: 002

Boykins	Dixon
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SB 254, relating to prescription medication in schools, was taken up by Representative Tilley.

Representative Behnen assumed the Chair.

On motion of Representative Tilley, **SB 254** was truly agreed to and finally passed by the following vote:

AYES: 135

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Brown 50	Bruns	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hubbard	Hunter
Ice	Jackson	Johnson 47	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Rupp
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Wasson	Wells	Weter	Wildberger

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Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 025

Bland	Bowman	Brooks	Burnett	Daus
Davis	Dougherty	El-Amin	Haywood	Hoskins
Hughes	Johnson 61	Low 39	Lowe 44	McGhee
Oxford	Rucker	Salva	Sander	Vogt
Walsh	Walton	Whorton	Wright-Jones	Young

PRESENT: 000

ABSENT WITH LEAVE: 002

Boykins	Nolte
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VACANCIES: 001

Representative Behnen declared the bill passed.

HCS SS SB 95, relating to lead poisoning abatement, was taken up by Representative Hubbard.

On motion of Representative Hubbard, **HCS SS SB 95** was adopted.

On motion of Representative Hubbard, **HCS SS SB 95** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Shoemyer

Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Brooks	Nolte	Self
Vogt				

VACANCIES: 001

Representative Behnen declared the bill passed.

THIRD READING OF SENATE BILL - CONSENT

HCS SB 216, relating to state crime laboratories, was taken up by Representative Goodman.

On motion of Representative Goodman, **HCS SB 216** was read the third time and passed by the following vote:

AYES: 159

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl

Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins Brooks Stevenson

VACANCIES: 001

Representative Behnen declared the bill passed.

THIRD READING OF SENATE BILL

HCS SCS SB 319, relating to unemployment insurance, was taken up by Representative Roark.

Representative Roark offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 319, Pages 2 to 29, Sections 288.036, 288.038, 288.045, 288.050, 288.060, 288.110, 288.120, 288.121, 288.122, 288.128, 288.310, and 288.330, by deleting all of said sections and inserting in lieu thereof the following:

"288.110. **1.** Any individual, type of organization or employing unit which has acquired substantially all of the business of an employer, excepting in any such case any assets retained by such employer incident to the liquidation of his obligations, and in respect to which the division finds that immediately after such change such business of the predecessor employer is continued without interruption solely by the successor, shall stand in the position of such predecessor employer in all respects, including the predecessor's separate account, actual contribution and benefit experience, annual payrolls, and liability for current or delinquent contributions, interest and penalties. If two or more individuals, organizations, or employing units acquired at approximately the same time substantially all of the business of an employer (excepting in any such case any assets retained by such employer incident to the liquidation of his obligations) and in respect to which the division finds that immediately after such change all portions of such business of the predecessor are continued without interruption solely by such successors, each such individual, organization, or employing unit shall stand in the position of such predecessor with respect to the proportionate share of the predecessor's separate account, actual contribution and benefit experience and annual payroll as determined by the portion of the predecessor's taxable payroll applicable to the portion of the business acquired, and each such individual, organization or employing unit shall be liable for current or delinquent contributions, interest and penalties of the predecessor in the same relative proportion. Further, any successor under this section which was not an employer at the time the acquisition occurred shall pay contributions for the balance of the current rate year at the same contribution rate as the contribution rate of the predecessor whether such rate is more or less than two and seven-tenths percent, provided there was only one predecessor or there were only predecessors with identical rates. If the predecessors' rates were not identical, the division shall calculate a rate as of the date of acquisition applicable to the successor for the remainder of the rate year, which rate shall be based on the combined experience of all predecessor employers. In the event that any successor was, prior to an acquisition, an employer, and there is a difference in the contribution rate established for such calendar year

applicable to any acquired or acquiring employer, the division shall make a recalculation of the contribution rate applicable to any successor employer based upon the combined experience of all predecessor and successor employers as of the date of the acquisition, unless the date of the acquisition is other than the first day of the calendar quarter. If the date of any such acquisition is other than the first day of the calendar quarter, the division shall make the recalculation of the rate on the first day of the next calendar quarter after the acquisition. When the date of the acquisition is other than the first day of a calendar quarter, the successor employer shall use its rate for the calendar quarter in which the acquisition was made. The revised contribution rate shall apply to employment after the rate recalculation. For this purpose a calculation date different from July first may be established. When the division has determined that a successor or successors stand in the position of a predecessor employer, the predecessor's liability shall be terminated as of the date of the acquisition.

2. If an employer transfers its trade or business, or a portion thereof, to another employer and, at the time of the transfer, there is substantially common ownership, management, or control of the two employers, then the unemployment experience attributable to the transferred trade or business shall be transferred to the employer to whom such business is so transferred. The rates and liabilities of both employers shall be recalculated and made effective under this section.

3. Whenever any individual, type of organization, or employing unit who is not an employer under this chapter at the time it acquires the trade or business of an employer, the unemployment experience of the acquired business shall not be transferred to such individual, organization, or employing unit if the division finds that such individual, organization, or employing unit acquired the business solely or primarily for the purpose of obtaining a lower rate of contributions. Instead, such individual, organization, or employing unit shall be assigned the applicable new employer rate under section 288.090. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of contributions, the division shall use objective factors which may include the cost of acquiring the business, whether the individual, organization, or employing unit continued the business enterprise of the acquired business, how long such business enterprise was continued, or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

4. (1) If an individual, organization, or employing unit knowingly violates or attempts to violate this section related to determining the assignment of a contribution rate, or if an individual, organization, or employing unit knowingly advises another individual, organization, or employing unit in a way that results in a violation of such provision, the individual, organization, or employing unit shall be subject to the following penalties:

(a) If the individual, organization, or employing unit is an employer under this chapter, then for the current year and the three rate years immediately following this rate year, such employer's base rate shall be the maximum base rate applicable to this type of employer, or the employer's current base rate plus two percent, whichever is greater.

(b) If the individual, organization, or employing unit is not an employer under this chapter, such individual, organization, or employing unit shall be subject to a civil money penalty of not more than five thousand dollars. Any such fine shall be deposited in the special employment security fund established under section 288.310, RSMo.

(2) In addition to the penalty imposed by subsection 4 of this section, any violation of this section may be prosecuted under section 288.395.

5. For purposes of this section, the following terms shall mean:

(1) "Base rate", the employer's contribution rate as determined by section 288.090, subsections 1, 2, and 3 of section 288.120, section 288.126, or a federal base rate assignment;

(2) "Knowingly", having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved;

(3) "Violates or attempts to violate", includes, but is not limited to, intent to evade, misrepresentation, or willful nondisclosure.

6. The division shall establish procedures to identify the transfer or acquisition of a business for purposes of this section.

7. This section shall be interpreted and applied in such a manner as to meet the minimum requirements contained in any guidance or regulations issued by the United States Department of Labor.

Section B. The repeal and reenactment of section 288.110 of section A of this act shall be effective on January 1, 2006."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith (118) offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 319, Page 1, Line 5, by inserting after all of said line the following:

“105.525. Issues with respect to appropriateness of bargaining units and majority representative status shall be resolved by the state board of mediation. In the event that the appropriate administrative body or any of the bargaining units shall be aggrieved by the decision of the state board of mediation, an appeal may be had to the circuit court of the county where the administrative body is located or in the circuit court of Cole County. [The state board of mediation shall use the services of the state hearing officer in all contested cases.]

286.060. 1. It shall be the duty of the labor and industrial relations commission, and it shall have power, jurisdiction and authority:

- (1) To sue and be sued in its official name;
- (2) To have and use an official seal bearing the following inscription: "The Labor and Industrial Relations Commission of the State of Missouri", which shall be judicially noticed;
- (3) To have all powers, duties and responsibilities conferred or imposed upon it by the workers' compensation law (chapter 287, RSMo) and by the unemployment compensation law (chapter 288, RSMo);
- (4) To approve or disapprove all rules or regulations promulgated by any division within the department. Such rules or regulations shall not become effective until ten days after their approval by the commission and copies thereof have been filed in the office of the secretary of state;
- (5) To establish and maintain as far as practicable a central system of collecting, preparing, compiling and reporting all material for statistical use in all divisions of the department of labor and industrial relations, and to this end the department shall have access to the books and records of all state departments, except those which are required by law to be kept confidential. The commission may by regulation permit employers or other persons to file combined reports of information required by law to be reported to the several divisions within the department whenever it finds that same or similar information is required by law to be reported by such employers or persons to more than one division within the department;
- (6) To maintain, as far as practicable, a central system for payroll and other accounting for the several divisions in the department;
- (7) To compile and publish, in printed form, the laws under which the commission and the various divisions in the department operate, together with all rules and regulations (except such rules and regulations which relate to the internal management of the department) which have been adopted by or with the approval of the commission, and to furnish copies thereof to any citizen of the state upon request;
- (8) To adopt all regulations necessary to the efficient internal management of the department, not inconsistent with any provisions of law, and such regulations shall become effective immediately upon adoption, unless the commission shall otherwise order; to adopt regulations governing its proceedings in connection with the exercise of its quasi-judicial functions, and such regulations shall become effective ten days after copies thereof are filed in the office of the secretary of state;
- (9) The commission or any member thereof may hold hearings, require the attendance of witnesses, administer oaths and take testimony;
- (10) Each of the commissioners shall have power to certify to official acts;
- (11) To prepare and submit to each regular session of the general assembly and to the governor at the beginning of each session of the general assembly, a complete and detailed report of the activities of the department, including the activities of each division within the department, during the preceding biennial period. Such report shall include a balance sheet of the moneys in the various administrative funds under its jurisdiction as well as all information required to be reported by the various laws under its jurisdiction, which reports shall be in lieu of any report to the general assembly now required by law for any department or office, the powers and duties of which are by this chapter vested in a division in the department of labor and industrial relations;

(12) To require the division of employment security to furnish it with a stenographer or clerk to file, process and keep records of all cases appealed from that division to the labor and industrial relations commission;

(13) To perform all the duties and responsibilities requested by the public representative member serving as the chairperson of the state board of mediation as provided in sections 295.030 and 295.050, RSMo; and

[(13)] (14) To have and perform such other powers and duties as may be conferred or imposed upon it by law.

2. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

[286.060. 1. It shall be the duty of the commission, and it shall have power, jurisdiction and authority:

(1) To sue and be sued in its official name;

(2) To have and use an official seal bearing the following inscription: "The Labor and Industrial Relations Commission of the State of Missouri", which shall be judicially noticed;

(3) To have all powers, duties and responsibilities conferred or imposed upon it by the workers' compensation law (chapter 287, RSMo), the victims of crime law, chapter 595, RSMo, the division of labor standards law (within chapters 286, 290, 291, 292, 293, 294 and 444, RSMo), and the unemployment compensation law (chapter 288, RSMo);

(4) To approve or disapprove all rules or regulations promulgated by any division within the department;

(5) To establish and maintain as far as practicable a central system of collecting, preparing, compiling and reporting all material for statistical use in all divisions of the department of labor and industrial relations, and to this end the department shall have access to the books and records of all state departments, except those which are required by law to be kept confidential. The commission may by regulation permit employers or other persons to file combined reports of information required by law to be reported to the several divisions within the department whenever it finds that same or similar information is required by law to be reported by such employers or persons to more than one division within the department;

(6) To maintain, as far as practicable, a central system for payroll and other accounting for the several divisions in the department;

(7) To compile and publish, in printed form, at the expense of the divisions within the department all rules and regulations (except such rules and regulations which relate to the internal management of the department) which have been adopted by or with the approval of the commission, and to furnish copies thereof to any citizen of the state upon request;

(8) To adopt all regulations necessary to the efficient internal management of the department, not inconsistent with any provisions of law; and to adopt regulations governing its proceedings in connection with the exercise of its quasi-judicial functions;

(9) The commission or any member of the commission may hold hearings, require the attendance of witnesses, administer oaths and take testimony;

(10) Each of the commissioners shall have power to certify to official acts;

(11) To prepare and submit to each regular session of the general assembly and to the governor at the beginning of each session of the general assembly, a complete and detailed report of the activities of the department, including the activities of each division within the department, during the preceding biennial period. Such report shall include a balance sheet of the moneys in the various administrative funds under its jurisdiction as well as all information required to be reported by the various laws under its jurisdiction, which reports shall be in lieu of any report to the general assembly now required by law for any department or office, the powers and duties of which are by this chapter vested in a division in the department of labor and industrial relations;

(12) To require the division of employment security to furnish it with a stenographer or clerk to file, process and keep records of all cases appealed from that division to the labor and industrial relations commission; and

(13) To have and perform such other powers and duties as may be conferred or imposed upon it by law.

2. No rule or portion of a rule promulgated under the authority of this chapter shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules

to review and suspend rules pending ratification by the senate and the house of representatives as provided in this section.

3. Upon filing any proposed rule with the secretary of state, the filing agency shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

4. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the filing agency may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

5. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

- (1) An absence of statutory authority for the proposed rule;
- (2) An emergency relating to public health, safety or welfare;
- (3) The proposed rule is in conflict with state law;
- (4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

6. If the committee disapproves any rule or portion thereof, the filing agency shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

7. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

8. Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.]”;

Further amend said amendment, Section 288.110, Page 6, Line 21 of said page, by inserting after all of said line the following:

“295.030. 1. [Within thirty days after the effective date of this chapter] The governor, by and with the advice and consent of the senate, shall appoint [five] **four** competent persons [to] **who along with the public representative member of the labor and industrial relations commission shall** serve as a state board of mediation; two of whom shall be employers of labor, or selected from some association representing employers of labor, and two of whom shall be employees holding membership in some bona fide trade or labor union[; the fifth shall be some person who is neither an employee nor an employer of labor and who shall be chairman of said state board of mediation]. **The public representative member of the labor and industrial relations commission shall assume the duties of and serve as the chairperson of the state board of mediation. For purposes of this chapter the public representative member of the labor and industrial relations commission shall be a member of the state board of mediation.**

2. [Two members of said board shall be appointed for one year, two for two years, and one for three years, and] All appointments [thereafter] shall be for three years or until their respective successors are appointed in the manner herein provided.

3. If a vacancy occurs in said board by death or otherwise, at any time, the governor shall appoint some competent person having the same qualifications as his predecessor to fill the unexpired term.

295.050. The [chairman of the board shall devote his full time to his duties and] **public representative member of the labor and industrial relations commission** shall have charge of the office of the board. He **or she** shall keep all records of the proceedings of the board, and shall supervise the work [of the employees] of the board, and shall have such other powers and duties as may be conferred, or imposed upon him **or her** by the board.

295.060. The [chairman of the board] **public representative member of the labor and industrial relations commission** shall receive [a salary in an amount to be determined by the director of the department of labor and industrial relations and within the limits of the appropriations for the purpose] **no additional compensation for assuming the duties of the chairperson of the board of mediation**. Each of the other members of the state board of mediation shall receive as compensation for their services an amount to be determined by the director of the department of labor and industrial relations, but not to exceed fifty dollars per day; and in addition thereto shall receive all necessary travel and other expenses incurred while actually engaged in the performance of their duties as such members.

295.070. 1. The [state board of mediation] **public representative member of the labor and industrial relations commission** shall have power to employ and fix the compensation of conciliators and other assistants and to delegate to such assistants such powers as may be necessary to carry out [its] **the duties of the state board of mediation** under this chapter. The board shall by regulation prescribe the methods of procedure before it.

2. The board shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence which relates to any matter under investigation by the board. In cases of refusal to obey a subpoena issued by the board the circuit court of Cole County or of any county where the person refusing to obey such subpoena may be found, on application by the board, shall have power to issue an order requiring such person to appear before the board and to testify and produce evidence ordered touching the matter under investigation, and any failure to obey such order shall be punished by the court as a contempt thereof.”; and

Further amend said amendment, Section B, Line 24, by inserting after all of said line the following:

“Section C. Because immediate action is necessary to transfer powers of the state board of mediation to the labor and industrial relations commission the repeal and reenactment of sections 105.525, 286.060, 295.030, 295.050, 295.060, and 295.070 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 105.525, 286.060, 295.030, 295.050, 295.060, and 295.070 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (118), **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Wilson (130) offered **House Amendment No. 2 to House Amendment No. 1**.

Representative Burnett raised a point of order that **House Amendment No. 2 to House Amendment No. 1** goes beyond the scope of the underlying amendment.

Representative Behnen requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Roark, **House Amendment No. 1, as amended**, was adopted.

Representative Byrd offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 319, Page 29, Section 288.330, Line 197, by inserting after all of said line the following:

"290.595. 1. As used in this section the following terms shall mean:

(1) "Employer", the same definition as in section 213.010, RSMo;
 (2) "Proper authorities", public authorities or authorities of the employer, but shall not include any individual who engaged in the reported illegal conduct.

2. There is hereby established in the laws of this state the at-will employment doctrine and existing common law is codified regarding the public policy exceptions to this doctrine based on an employee's whistle-blowing or refusal to commit an illegal act. This act is not intended to take away or impair vested rights acquired under existing common law, nor is it intended to create a new obligation or impose a new duty.

3. The at-will employment doctrine shall not apply when the elements of a whistle-blower cause of action are established. A whistle-blower cause of action for wrongful discharge in violation of public policy is established if an employee proves by a preponderance of the evidence that:

(1) The employee reported to proper authorities serious misconduct that constituted an actual violation of a statute, constitutional provision, or regulation and of well-established and clearly mandated public policy;
 (2) The employee was discharged; and
 (3) The discharge was caused by the employee's report to proper authorities.

4. The at-will employment doctrine shall not apply when the elements of a refusal to commit an illegal act cause of action are established. A refusal to commit an illegal act cause of action for wrongful discharge in violation of public policy is established if an employee proves by a preponderance of the evidence that:

(1) The employer directed the employee to perform conduct that actually violated a statute, constitutional provision, or regulation;
 (2) The employee specifically refused the directive to perform the unlawful act;
 (3) The employee was discharged; and
 (4) The discharge was caused by the employee's refusal to perform the unlawful act.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SCS SB 319, as amended, with House Amendment No. 2, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 353, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators: Bartle, Loudon, Scott, Graham and Days.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 461**, entitled:

An act to repeal section 137.078, RSMo, and to enact in lieu thereof three new sections relating to assessment of business personal property.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 461, Page 7, Section 137.079, Line 24, by inserting immediately after said line the following:

“137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;
- (6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;
- (7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision **or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes**”; and
- (8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:
 - (a) The right of the interstate compact agency to use, control, and possess the property is terminated;
 - (b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and
 - (c) There are no provisions for reverter of the property within the limitation period for reverters.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Committee Substitute for House Bill No. 461, Page 7, Section 137.079, Line 22, by inserting after “137.078,” the following:

“, property of rural electric cooperatives under chapter 394, RSMo,”; and

Further amend said bill, Page 7, Section 137.122, Line 8, by inserting after “137.078,” the following:

“, property of rural electric cooperatives under chapter 394, RSMo,”; and

Further amend said bill and section, Page 9, Line 78, by inserting after all of said line the following:

“6. The provisions of this section are not intended to modify the definition of “tangible personal property” as defined in section 137.010.”.

Senate Amendment No. 3

AMEND House Committee Substitute for House Bill No. 461, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) “Claimant”, a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. **A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year following the year for which the property tax credit is claimed.** The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) “Disabled”, the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) “Gross rent”, amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) “Homestead”, the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. “Owned” includes a vendee in possession under a land contract and one or more tenants by the entirety, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) “Income”, Missouri adjusted gross income as defined in section 143.121, RSMo, less two thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

- (e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;
- (6) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;
- (7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year."; and

Further amend said bill, Page 7, Section 137.079, Line 24, by inserting immediately after said line the following:

- "137.106. 1. This section may be known and may be cited as "The Missouri Homestead Preservation Act".
2. As used in this section, the following terms shall mean:
- (1) "Department", the department of revenue;
- (2) "Director", the director of revenue;
- (3) "Disabled", as such term is defined in section 135.010, RSMo;
- (4) "Eligible owner", any individual owner of property who is sixty-five years old or older as of January first of the tax year in which the individual is claiming the credit or who is disabled, and who had an income of equal to or less than the maximum upper limit in the year prior to completing an application pursuant to subsection 4 of this section; in the case of a married couple owning property either jointly or as tenants by the entirety, or where only one spouse owns the property, such couple shall be considered an eligible taxpayer if both spouses have reached the age of sixty-five or if one spouse is disabled, or if one spouse is at least sixty-five years old and the other spouse is at least sixty years old, and the combined income of the couple in the year prior to completing an application pursuant to subsection 4 of this section did not exceed the maximum upper limit; **in the case of property held in trust, the eligible owner and recipient of the tax credit shall be the trust itself provided the previous owner of the homestead or the previous owner's spouse: is the settlor of the trust with respect to the homestead; currently resides in such homestead; and but for the transfer of such property would have satisfied the age, ownership, and maximum upper limit requirements for income as defined in subdivisions 7 and 8 of this subsection;** no individual shall be an eligible owner if the individual has not paid their property tax liability, if any, in full by the payment due date in any of the three prior tax years, except that a late payment of a property tax liability in any prior year, [not including the year in which the application was completed.] shall not disqualify a potential eligible owner if such owner paid in full the tax liability and any and all penalties, additions and interest that arose as a result of such late payment; no individual shall be an eligible owner if such person [qualifies] **filed a valid claim** for the senior citizens property tax relief credit pursuant to sections 135.010 to 135.035, RSMo;
- (5) "Homestead", as such term is defined pursuant to section 135.010, RSMo, except as limited by provisions of this section to the contrary. No property shall be considered a homestead if such property was improved since the most recent annual assessment by more than five percent of the prior year appraised value, **except where an eligible owner of the property has made such improvements to accommodate a disabled person;**
- (6) "Homestead exemption limit", a percentage increase, rounded to the nearest hundredth of a percent, which shall be equal to the percentage increase to tax liability, not including improvements, of a homestead from one tax year to the next that exceeds a certain percentage set pursuant to subsection [8] 10 of this section. **For applications filed in 2005 or 2006, the homestead exemption limit shall be based on the increase to tax liability from 2004 to 2005. For applications filed between April 1, 2005 and September 30, 2006, an eligible owner, who otherwise satisfied the requirements of this section, shall not apply for the homestead exemption credit more than once during such**

period. For applications filed after 2006, the homestead exemption limit shall be based on the increase to tax liability from two years prior to application to the year immediately prior to application;

(7) "Income", federal adjusted gross income, **and in the case of ownership of the homestead by trust, the income of the settlor applicant shall be imputed to the income of the trust for purposes of determining eligibility with regards to the maximum upper limit;**

(8) "Maximum upper limit", in the calendar year 2005, the income sum of seventy thousand dollars; in each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined pursuant to article X, section 17 of the Missouri Constitution.

3. Pursuant to article X, section 6(a) of the Constitution of Missouri, if in the prior tax year, the property tax liability on any parcel of subclass (1) real property increased by more than the homestead exemption limit, without regard for any prior credit received due to the provisions of this section, then any eligible owner of the property shall receive a homestead exemption credit to be applied in the current tax year property tax liability to offset the prior year increase to tax liability that exceeds the homestead exemption limit, except as eligibility for the credit is limited by the provisions of this section. The amount of the credit shall be listed separately on each taxpayer's tax bill for the current tax year, or on a document enclosed with the taxpayer's bill. The homestead exemption credit shall not affect the process of setting the tax rate as required pursuant to article X, section 22 of the Constitution of Missouri and section 137.073 in any prior, current, or subsequent tax year.

4. If application is made in 2005, any potential eligible owner may apply for the homestead exemption credit by completing an application through their local assessor's office. Applications may be completed between April first and September thirtieth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided to the assessor's office by the department. Forms also shall be made available on the department's Internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property; and
- (4) That any improvements made to the homestead, **not made to accommodate a disabled person**, did not total more than five percent of the prior year appraised value.

The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the two prior tax years.

5. If application is made in 2005, the assessor, upon [receiving] **request for** an application, shall:

- (1) Certify the parcel number and owner of record as of January first of the homestead, including verification of the acreage classified as residential on the assessor's property record card;
- (2) Obtain appropriate prior tax year levy codes for each homestead from the county clerks **for inclusion on the form;**

(3) Record on the application the assessed valuation of the homestead for the current tax year, and any new construction or improvements for the current tax year; and

(4) Sign the application, certifying the accuracy of the assessor's entries.

6. If application is made after 2005, any potential eligible owner may apply for the homestead exemption credit by completing an application. Applications may be completed between April 1 and September 30 of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided by the department. Forms also shall be made available on the department's internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property;
- (4) That any improvements made to the homestead, **not made to accommodate a disabled person**, did not total more than five percent of the prior year appraised value; and
- (5) **The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the three prior tax years.**

7. Each applicant shall send the application to the department by September thirtieth of each year for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the application was completed.

[7.] **8. If application is made in 2005**, upon receipt of the applications, the department shall calculate the tax liability, adjusted to exclude new construction or improvements verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant has also filed a valid application for the senior citizens property tax credit, pursuant to sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit, and provide a list of all verified eligible owners to the county collectors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county collectors or county clerks in counties with a township form of government shall provide a list to the department of any verified eligible owners who failed to pay the property tax due for the tax year that ended immediately prior. Such eligible owners shall be disqualified from receiving the credit in the current tax year.

[8.] **9. If application is made after 2005, upon receipt of the applications, the department shall calculate the tax liability, verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant also has filed a valid application for the senior citizens property tax credit under sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income is verified, the director shall determine eligibility for the credit and provide a list of all verified eligible owners to the county assessors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county assessors shall provide a list to the department of any verified eligible owners who made improvements not for accommodation of a disability to the homestead and the dollar amount of the assessed value of such improvements. If the dollar amount of the assessed value of such improvements totaled more than five percent of the prior year appraised value, such eligible owners shall be disqualified from receiving the credit in the current tax year.**

10. The director shall calculate the level of appropriation necessary to set the homestead exemption limit at five percent when based on a year of general reassessment or at two and one-half percent when based on a year without general reassessment for the homesteads of all verified eligible owners, and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the office of budget and planning in the office of administration by January thirty-first of each year.

[9.] **11.** [If, in any given year,] **For applications made in 2005**, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all but one-quarter of one percent of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. The remaining one-quarter of one percent shall be distributed to the county assessment funds of each county on a proportional basis, based on the number of eligible owners in each county; such one-quarter percent distribution shall be delineated in any such appropriation as a separate line item in the total appropriation. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

[10.] **12.** After setting the homestead exemption limit **for applications made in 2005**, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation **and assessment fund allocation** to the county collector's funds of each county **or the treasurer ex officio collector's fund in counties with a township form of government** where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued, plus the one-quarter of one percent distribution for the county assessment funds. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section plus the one-quarter of one percent distribution for the county assessment funds. Funds, at the direction of the county collector **or the treasurer ex officio collector in counties with a township form of government**, shall be deposited in the county collector's fund of a county **or the treasurer ex officio collector's fund** or may be sent by mail to the collector of a county, **or the treasurer ex officio collector in counties with a township form of government**, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues **by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government**, so as to exactly offset

each homestead exemption credit being issued. In counties with a township form of government, the county clerk shall provide the treasurer ex officio collector a summary of the homestead exemption credit for each township for the purpose of distributing the total homestead exemption credit to each township collector in a particular county.

[11.] 13. If, in any given year after 2005, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

14. After setting the homestead exemption limit for applications made after 2005, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation to the county collector's fund of each county where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section. Funds, at the direction of the collector of the county or treasurer ex-officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or may be sent by mail to the collector of a county, or treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued.

15. The department shall promulgate rules for implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. Any rule promulgated by the department shall in no way impact, affect, interrupt, or interfere with the performance of the required statutory duties of any county elected official, more particularly including the county collector when performing such duties as deemed necessary for the distribution of any homestead appropriation and the distribution of all other real and personal property taxes.

[12.] 16. In the event that an eligible owner dies or transfers ownership of the property after the homestead exemption limit has been set in any given year, but prior to [the mailing of the tax bill] **January first of the year in which the credit would otherwise be applied**, the credit shall be void and any corresponding moneys, pursuant to subsection 10 of this section, shall lapse to the state to be credited to the general revenue fund. **In the event the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government determines prior to issuing the credit that the individual is not an eligible owner because the individual did not pay the prior three years' property tax liability in full, the credit shall be void and any corresponding moneys, under subsection 11 of this section, shall lapse to the state to be credited to the general revenue fund.**

[13.] 17. This section shall apply to all tax years beginning on or after January 1, 2005. This subsection shall become effective June 28, 2004.

[14.] 18. In accordance with the provisions of sections 23.250 to 23.298, RSMo, and unless otherwise authorized pursuant to section 23.253, RSMo:

(1) Any new program authorized under the provisions of this section shall automatically sunset six years after the effective date of this section; and

(2) This section shall terminate on September first of the year following the year in which any new program authorized under this section is sunset, and the revisor of statutes shall designate such sections and this section in a revision bill for repeal.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND House Committee Substitute for House Bill No. 461, Page 1, In the Title, Line 3, by striking the word “business”; and

Further amend said bill, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“137.073. 1. As used in this section, the following terms mean:

(1) “General reassessment”, changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) “Tax rate”, “rate”, or “rate of levy”, singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) “Tax rate ceiling”, a tax rate as revised by the taxing authority to comply with the provisions of this section or when a court has determined the tax rate; except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, RSMo, less all adjustments required pursuant to article X, section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) “Tax revenue”, when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term “tax revenue” shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, RSMo, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes pursuant to chapter 67, RSMo, shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505, RSMo, and section 164.013, RSMo, in the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term “tax revenue”, as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books for any personal property, in the aggregate, or for any subclass of real property as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation of each subclass of real property, individually, and personal property, in the aggregate, exclusive of new construction and improvements. All political subdivisions shall immediately revise the applicable rates of levy for each purpose for each subclass of real property, individually, and personal property, in the aggregate, for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year for each subclass of real property, individually, and personal property, in the aggregate, except that the rate may not exceed the greater of the rate in effect in the 1984 tax year or the most recent voter-approved rate. Such tax revenue shall not include any receipts from ad valorem levies on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property. Where the taxing authority is a school district for the purposes of revising the applicable rates of levy for each subclass of real property, the tax revenues from state-assessed railroad and utility property shall be apportioned and attributed to each subclass of real property based on the percentage of the total assessed valuation of the county that each subclass of real property represents in the

current taxable year. As provided in section 22 of article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor for any such subclass of real property or personal property shall be limited to the actual assessment growth in such subclass or class, exclusive of new construction and improvements, and exclusive of the assessed value on any real property which was assessed by the assessor of a county or city in the current year in a different subclass of real property, but not to exceed the consumer price index or five percent, whichever is lower. Should the tax revenue of a political subdivision from the various tax rates determined in this subsection be different than the tax revenue that would have been determined from a single tax rate as calculated pursuant to the method of calculation in this subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of those subclasses of real property, individually, and/or personal property, in the aggregate, in which there is a tax rate reduction, pursuant to the provisions of this subsection. Such revision shall yield an amount equal to such difference and shall be apportioned among such subclasses of real property, individually, and/or personal property, in the aggregate, based on the relative assessed valuation of the class or subclasses of property experiencing a tax rate reduction. Such revision in the tax rates of each class or subclass shall be made by computing the percentage of current year adjusted assessed valuation of each class or subclass with a tax rate reduction to the total current year adjusted assessed valuation of the class or subclasses with a tax rate reduction, multiplying the resulting percentages by the revenue difference between the single rate calculation and the calculations pursuant to this subsection and dividing by the respective adjusted current year assessed valuation of each class or subclass to determine the adjustment to the rate to be levied upon each class or subclass of property. The adjustment computed herein shall be multiplied by one hundred, rounded to four decimals in the manner provided in this subsection, and added to the initial rate computed for each class or subclass of property. Notwithstanding any provision of this subsection to the contrary, no revision to the rate of levy for personal property shall cause such levy to increase over the levy for personal property from the prior year.

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, RSMo, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling for the particular subclass of real property or for personal property, in the aggregate, in the prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate for the particular subclass of real property or for personal property, in the aggregate, after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive for the three-year period preceding such determination.

4. (1) In order to implement the provisions of this section and section 22 of article X of the Constitution of Missouri, the term "improvements" shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, RSMo, sections 135.200 to 135.255, RSMo, and section 353.110, RSMo, shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate

increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. Notwithstanding any opt-out implemented pursuant to subsection 15 of section 137.115, the assessor shall certify the amount of new construction and improvements and the amount of assessed value on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property separately for each of the three subclasses of real property for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and section 22, article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on June first of each year over the immediately preceding prior twelve-month period in order that political subdivisions shall have this information available in setting their tax rates according to law and section 22 of article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and section 22 of article X of the Missouri Constitution, the term "property" means all taxable property, including state assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or section 22 of article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and section 22 of article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of section 10(c) of article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to section 22 of article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with section 22 of article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo, shall be applied to the tax rate as established pursuant to this section and section 22 of article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be the current tax rate ceiling. The increased tax rate ceiling as approved may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate.

(3) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval.

6. (1) For the purposes of calculating state aid for public schools pursuant to section 163.031, RSMo, each taxing authority which is a school district shall determine its proposed tax rate as a blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first determining the total tax revenue of the property within the jurisdiction of the taxing authority, which amount shall be equal to the sum of the products of multiplying the assessed valuation of each class and subclass of property by the corresponding tax rate for such class or subclass, then dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then multiplying the resulting quotient by a factor of one-hundred. Where the taxing authority is a school district, such blended rate shall also be used by such school district for calculating revenue from state-assessed railroad and utility property as defined in chapter 151, RSMo, and for apportioning the tax rate by purpose.

(2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest one-tenth of a cent, unless its proposed tax rate is in excess of one dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-hundredth of a cent, it shall round up a fraction greater than or equal to five/one-thousandth of one cent to the next higher one/one-hundredth of a cent; if a taxing authority shall round to one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. Any taxing authority levying a property tax rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with

Missouri law. All forms for the calculation of rates pursuant to this section shall be promulgated as a rule and shall not be incorporated by reference. [Within thirty days after the effective date of this act,] The state auditor shall promulgate rules for any and all forms for the calculation of rates pursuant to this section which do not currently exist in rule form or that have been incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be prima facie valid if, after making the payment for which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031, RSMo. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. A taxing authority, including but not limited to a township, county collector, or collector of taxes, responsible for determining and collecting the amount of residential real property tax levied in its jurisdiction, shall

report such amount of tax collected by December thirty-first of each year such property is assessed to the state tax commission. The state tax commission shall compile the tax data by county or taxing jurisdiction and submit a report to the general assembly no later than January thirty-first of the following year.

11. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND House Committee Substitute for House Bill No. 461, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“53.260. **Subject to appropriation**, expenses incurred by the assessor or assessor-elect in attending courses of study and additional courses referred to in sections 53.250 to 53.265 shall be paid by the state. Fees for registration, books and materials may be directly billed to the state as provided by the commissioner of administration. The cost of transportation, lodging and meals shall be reimbursed to the assessor or assessor-elect in the manner provided by the commissioner of administration.”; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS#2 HB 568**, entitled:

An to repeal sections 210.117, 211.037, 211.038, 452.375, and 452.400, RSMo, and to enact in lieu thereof six new sections relating to protection of children.

With Senate Amendment No. 2, Senate Amendment No. 5, Senate Amendment No. 10 and Senate Amendment No. 11.

Senate Amendment No. 2

AMEND Senate Substitute for House Committee Substitute No. 2 for House Bill No. 568, Page 1, Section A, Line 4, by inserting after all of said line the following:

“**167.229. 1. The department of elementary and secondary education shall establish a “Model School Wellness Program”, and any moneys appropriated, other than general revenue, by the general assembly for this program shall be used by selected school districts to establish school-based pilot programs that focus on encouraging students to establish and maintain healthy lifestyles. The moneys appropriated shall be from the Child Nutrition and WIC Reauthorization federal grant money. These programs shall include tobacco prevention education and the promotion of balanced dietary patterns and physical activity to prevent becoming overweight or obese, and discussion of serious and chronic medical conditions that are associated with being overweight. The content of these programs shall address state and national standards and guidelines established by the No Child Left Behind Act, the Healthy People 2010 Leading Health Indicators as compiled by the National Center for Health Statistics, and the Produce for Better Health Foundation's “5 A Day, The Color Way” program.**

2. School districts may apply for one-year grants for school year 2005-2006 under this section. The department shall establish selection criteria and methods for distribution of funds to school districts applying for such funds. The department shall promulgate rules to implement the provisions of this section.

3. A school district that receives a grant under this section shall use the funds to plan and implement the program in a diverse sampling of schools in each district. The programs shall address students' academic success as well as health concerns, and encourage links between the school and home settings to promote active healthy lifestyles across the students' learning environments. The tobacco prevention initiative shall focus on grades four and five to target students before they transition into middle grades. The obesity prevention programs will cover sequential wellness education across grades kindergarten through fifth grades. These programs shall:

- (1) Be multidisciplinary, addressing academic standards in language arts, math, and health;
- (2) Provide multimedia resources that engage the students;
- (3) Be evidence-based showing successful implementation including positive changes in desired outcomes, such as changes in body mass index or attitudes towards tobacco use;
- (4) Be able to be integrated in to the core classroom at the elementary level; and
- (5) Be sustainable and provide open web-based resources to teachers and students across Missouri.

4. Hands-on professional development opportunities shall be provided in local districts for the teachers who will be implementing the program. Ongoing support shall be provided to the teachers and schools during the pilot period.

5. Following the completion of the 2005-2006 school year, the department shall evaluate the effectiveness of the model school wellness program in increasing knowledge, changing body mass index, improving attitudes and behaviors of students related to nutrition, physical activity, or tobacco use.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

7. Pursuant to section 23.353, RSMo, of the Missouri sunset act:

- (1) The provisions of this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September 1 of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for House Committee Substitute No. 2 for House Bill No. 568, Page 21, Section 452.400, Line 19, by inserting after all of said line the following:

“452.490. 1. The court may order any party to the proceeding who is in this state to appear personally before the court. If the court finds the physical presence of the child in court to be in the best interests of the child, the court may order that the party who has physical custody of the child appear personally with the child.

2. If a party to the proceeding whose presence is desired by the court is outside this state, with or without the child, the court may order that the notice given under section 452.460 include a statement directing that party to appear personally with or without the child.

3. If a party to the proceeding who is outside this state is directed to appear under subsection 1 of this section or desires to appear personally before the court with or without the child, the court may require another party to pay to the clerk of the court travel and other necessary expenses of the party so appearing and of the child, if this is just and proper under the circumstances.

4. If the court finds it to be in the best interest of the child that a guardian ad litem be appointed, the court may appoint a guardian ad litem for the child. The guardian ad litem so appointed shall be an attorney licensed to practice law in the state of Missouri. Disqualification of a guardian ad litem shall be ordered in any legal proceeding pursuant to [chapter 210, RSMo, or] this chapter, upon the filing of a written application by any party within ten days of appointment[, or within ten days of August 28, 1998, if the appointment occurs prior to August 28, 1998]. Each party shall be entitled to one disqualification of a guardian ad litem **appointed under this subsection** in each proceeding,

except a party may be entitled to additional disqualifications of a guardian ad litem for good cause shown. The guardian ad litem may, for the purpose of determining custody of the child only, participate in the proceedings as if such guardian ad litem were a party. The court shall enter judgment allowing a reasonable fee to the guardian ad litem.

5. The court shall appoint a guardian ad litem in any proceeding in which child abuse or neglect is alleged.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for House Committee Substitute No. 2 for House Bill No. 568, Page 1, Section A, Line 4 of said page, by inserting after all of said line the following:

“210.110. As used in sections 210.109 to 210.165, and sections 210.180 to 210.183, the following terms mean:

(1) “Abuse”, any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody, and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed to be abuse;

(2) **“Assessment and treatment services for children under ten years old”, an approach to be developed by the children's division which will recognize and treat the specific needs of at-risk and abused or neglected children under the age of ten. The developmental and medical assessment shall be a broad physical, developmental, and mental health screening to be completed within thirty days of a child's entry into custody and every six months thereafter as long as the child remains in care. Screenings shall be offered at a centralized location and include, at a minimum, the following:**

(a) **Complete physical to be performed by a pediatrician familiar with the effects of abuse and neglect on young children;**

(b) **Developmental, behavioral, and emotional screening in addition to early periodic screening, diagnosis, and treatment services, including a core set of standardized and recognized instruments as well as interviews with the child and appropriate caregivers. The screening battery shall be performed by a licensed mental health professional familiar with the effects of abuse and neglect on young children, who will then serve as the liaison between all service providers in ensuring that needed services are provided. Such treatment services may include in-home services, out of home placement, intensive twenty-four hour treatment services, family counseling, parenting training and other best practices.**

Children whose screenings indicate an area of concern shall complete a comprehensive, in-depth health, psycho-diagnostic, or developmental assessment within sixty days of entry into custody.

(3) “Central registry”, a registry of persons where the division has found probable cause to believe prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004, or a court has substantiated through court adjudication that the individual has committed child abuse or neglect or the person has pled guilty or has been found guilty of a crime pursuant to section 565.020, 565.021, 565.023, 565.024 or 565.050, RSMo, if the victim is a child less than eighteen years of age, section 566.030 or 566.060, RSMo, if the victim is a child less than eighteen years of age, or other crime pursuant to chapter 566, RSMo, if the victim is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older, section 567.050, RSMo, if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, RSMo, section 573.025 or 573.035, RSMo, or an attempt to commit any such crimes. Any persons placed on the registry prior to August 28, 2004, shall remain on the registry for the duration of time required by section 210.152;

[(3)] (4) “Child”, any person, regardless of physical or mental condition, under eighteen years of age;

[(4)] (5) “Children's services providers and agencies”, any public, quasi- public, or private entity with the appropriate and relevant training and expertise in delivering services to children and their families as determined by the children's division, and capable of providing direct services and other family services for children in the custody of the children's division or any such entities or agencies that are receiving state moneys for such services;

[(5)] (6) “Director”, the director of the Missouri children's division within the department of social services;

[(6)] (7) “Division”, the Missouri children's division within the department of social services;

[(7)] (8) “Family assessment and services”, an approach to be developed by the children's division which will provide for a prompt assessment of a child who has been reported to the division as a victim of abuse or neglect by a person responsible for that child's care, custody or control and of that child's family, including risk of abuse and neglect and, if necessary, the provision of community-based services to reduce the risk and support the family;

[(8)] (9) "Family support team meeting" or "team meeting", a meeting convened by the division or children's services provider in behalf of the family and/or child for the purpose of determining service and treatment needs, determining the need for placement and developing a plan for reunification or other permanency options, determining the appropriate placement of the child, evaluating case progress, and establishing and revising the case plan;

[(9)] (10) "Investigation", the collection of physical and verbal evidence to determine if a child has been abused or neglected;

[(10)] (11) "Jail or detention center personnel", employees and volunteers working in any premises or institution where incarceration, evaluation, care, treatment or rehabilitation is provided to persons who are being held under custody of the law;

[(11)] (12) "Neglect", failure to provide, by those responsible for the care, custody, and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical, or any other care necessary for the child's well-being;

[(12)] (13) "Preponderance of the evidence", that degree of evidence that is of greater weight or more convincing than the evidence which is offered in opposition to it or evidence which as a whole shows the fact to be proved to be more probable than not;

[(13)] (14) "Probable cause", available facts when viewed in the light of surrounding circumstances which would cause a reasonable person to believe a child was abused or neglected;

[(14)] (15) "Report", the communication of an allegation of child abuse or neglect to the division pursuant to section 210.115;

[(15)] (16) "Those responsible for the care, custody, and control of the child", those included but not limited to the parents or guardian of a child, other members of the child's household, or those exercising supervision over a child for any part of a twenty-four-hour day. Those responsible for the care, custody and control shall also include any adult who, based on relationship to the parents of the child, members of the child's household or the family, has access to the child.

210.112. 1. It is the policy of this state and its agencies to implement a foster care and child protection and welfare system focused on providing the highest quality of services and outcomes for children and their families. The department of social services shall implement such system subject to the following principles:

- (1) The safety and welfare of children is paramount;
- (2) Providers of direct services to children and their families will be evaluated in a uniform and consistent basis;
- (3) Services to children and their families shall be provided in a timely manner to maximize the opportunity for successful outcomes; and

(4) Any provider of direct services to children and families shall have the appropriate and relevant training, education, and expertise to provide the highest quality of services possible which shall be consistent with the federal standards, but not less than the standards and policies used by the children's division as of January 1, 2004.

2. On or before July 1, 2005, and subject to appropriations, the children's division and any other state agency deemed necessary by the division shall, in consultation with the community and providers of services, enter into and implement contracts with qualified children's services providers and agencies to provide a comprehensive and deliberate system of service delivery for children and their families. Contracts shall be awarded through a competitive process and provided by children's services providers and agencies currently contracting with the state to provide such services and by public and private not-for-profit or limited liability corporations owned exclusively by not-for-profit corporations children's services providers and agencies which have:

(1) A proven record of providing child welfare services within the state of Missouri which shall be consistent with the federal standards, but not less than the standards and policies used by the children's division as of January 1, 2004; and

(2) The ability to provide a range of child welfare services, which may include case management services, family-centered services, foster and adoptive parent recruitment and retention, residential care, in-home services, foster care services, adoption services, relative care case management, planned permanent living services, and family reunification services.

No contracts shall be issued for services related to the child abuse and neglect hotline, investigations of alleged abuse and neglect, and initial family assessments. Any contracts entered into by the division shall be in accordance with all federal laws and regulations, and shall not result in the loss of federal funding. Such children's services providers and agencies under contract with the division shall be subject to all federal, state, and local laws and regulations relating to the provision of such services, and shall be subject to oversight and inspection by appropriate state agencies to assure compliance with standards which shall be consistent with the federal standards, but not less than the standards and policies used by the children's division as of January 1, 2004.

3. In entering into and implementing contracts under subsection 2 of this section, the division shall consider and direct their efforts towards geographic areas of the state, including Greene County, where eligible direct children's services providers and agencies are currently available and capable of providing a broad range of services, including case management services, family-centered services, foster and adoptive parent recruitment and retention, residential care, family preservation services, foster care services, adoption services, relative care case management, other planned living arrangements, and family reunification services consistent with federal guidelines. Nothing in this subsection shall prohibit the division from contracting on an as-needed basis for any individual child welfare service listed above.

4. The contracts entered into under this section shall assure that:

(1) Child welfare services shall be delivered to a child and the child's family by professionals who have substantial and relevant training, education, or competencies otherwise demonstrated in the area of children and family services;

(2) Children's services providers and agencies shall be evaluated by the division based on objective, consistent, and performance-based criteria;

(3) Any case management services provided shall be subject to a case management plan established under subsection 5 of this section which is consistent with all relevant federal guidelines. The case management plan shall focus on attaining permanency in children's living conditions to the greatest extent possible and shall include concurrent planning and independent living where appropriate in accordance with the best interests of each child served and considering relevant factors applicable to each individual case as provided by law, including:

(a) The interaction and interrelationship of a child with the child's foster parents, biological or adoptive parents, siblings, and any other person who may significantly affect the child's best interests;

(b) A child's adjustment to his or her foster home, school, and community;

(c) The mental and physical health of all individuals involved, including any history of abuse of or by any individuals involved; [and]

(d) The needs of the child for a continuing relationship with the child's biological or adoptive parents and the ability and willingness of the child's biological or adoptive parents to actively perform their functions as parents with regard to the needs of the child; **and**

(e) For any child under ten years old, treatment services shall be available as defined in section 210.110. Assessments, as defined in section 210.110, shall occur to determine which treatment services best meet the child's psychological and social needs. When the assessment indicates that a child's needs can be best resolved by intensive twenty-four hour treatment services, the division will locate, contract, and place the child with the appropriate organizations. This placement will be viewed as the least restrictive for the child based on the assessment;

(4) The delivery system shall have sufficient flexibility to take into account children and families on a case-by-case basis;

(5) The delivery system shall provide a mechanism for the assessment of strategies to work with children and families immediately upon entry into the system to maximize permanency and successful outcome in the shortest time possible and shall include concurrent planning. Outcome measures for private and public agencies shall be equal for each program; and

(6) Payment to the children's services providers and agencies shall be made based on the reasonable costs of services, including responsibilities necessary to execute the contract. Contracts shall provide incentives in addition to the costs of services provided in recognition of accomplishment of the case goals and the corresponding cost savings to the state. The division shall promulgate rules to implement the provisions of this subdivision.

5. Contracts entered into under this section shall require that a case management plan consistent with all relevant federal guidelines shall be developed for each child at the earliest time after the initial investigation, but in no event longer than fourteen days after the initial investigation or referral to the contractor by the division. Such case management plan shall be presented to the court and be the foundation of service delivery to the child and family. The case management plan shall, at a minimum, include:

(1) An outcome target based on the child and family situation achieving permanency or independent living, where appropriate;

(2) Services authorized and necessary to facilitate the outcome target;

(3) Time frames in which services will be delivered; and

(4) Necessary evaluations and reporting.

In addition to any visits and assessments required under case management, services to be provided by a public or private children's services provider under the specific case management plan may include family-centered services, foster and adoptive parent recruitment and retention, residential care, in-home services, foster care services, adoption services, relative care case services, planned permanent living services, and family reunification services. In all cases, an

appropriate level of services shall be provided to the child and family after permanency is achieved to assure a continued successful outcome.

6. On or before July 15, 2006, and each July fifteenth thereafter that the project is in operation, the division shall submit a report to the general assembly which shall include:

(1) Details about the specifics of the contracts, including the number of children and families served, the cost to the state for contracting such services, the current status of the children and families served, an assessment of the quality of services provided and outcomes achieved, and an overall evaluation of the project; and

(2) Any recommendations regarding the continuation or possible statewide implementation of such project; and

(3) Any information or recommendations directly related to the provision of direct services for children and their families that any of the contracting children's services providers and agencies request to have included in the report.

7. The division shall accept as prima facie evidence of completion of the requirements for licensure under sections 210.481 to 210.511 proof that an agency is accredited by any of the following nationally recognized bodies: the Council on Accreditation of Services, Children and Families, Inc.; the Joint Commission on Accreditation of Hospitals; or the Commission on Accreditation of Rehabilitation Facilities. The division shall not require any further evidence of qualification for licensure if such proof of voluntary accreditation is submitted.

8. By February 1, 2005, the children's division shall promulgate and have in effect rules to implement the provisions of this section, and pursuant to this section, shall define implementation plans and dates. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for House Committee Substitute No. 2 for House Bill 568, Pages 1-2, Section 210.114, by striking all of said section and inserting in lieu thereof the following:

“210.114. 1. Except as otherwise provided in section 207.085, RSMo, a private contractor, as defined in subdivision (4) of section 210.110, with the children’s division that receives state moneys from the division or the department for providing services to children and their families shall have qualified immunity from civil liability for providing such services when the child is not in the physical care of such private contractor to the same extent that the children’s division has qualified immunity from civil liability when the division or department directly provides such services.

2. This section shall not apply if a private contractor described above knowingly violates a stated or written policy of the division, any rule promulgated by the division, or any state law directly related to child abuse and neglect or any local ordinance relating to the safety condition of the property.”; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 500, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 500, as amended, relating to the Part C Early Intervention System, was taken up by Representative Lager.

Representative Lager moved that the House refuse to recede from its position on **HCS SCS SB 500, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILL WITH SENATE AMENDMENTS

SS HCS#2 HB 568, as amended, relating to the protection of children, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to adopt **SS HCS#2 HB 568, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 355, as amended, relating to agriculture, was taken up by Representative Loehner.

Representative Loehner moved that the House refuse to recede from its position on **HCS SCS SB 355, as amended**, and request the Senate to take up and pass **HCS SCS SB 355, as amended**.

Which motion was adopted.

SCS SB 390, with House Amendment No. 1 and House Amendment No. 3, relating to motor vehicle dealer advertisements, was taken up by Representative Pratt.

Representative Pratt moved that the House refuse to recede from its position on **House Amendment No. 1 and House Amendment No. 3 to SCS SB 390** and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS SCS HCS HB 353: Representatives Lipke, Jones, Bruns, Burnett and Jolly
HCS SCS SB 500: Representatives Lager, Roark, Rupp, Donnelly and Bowman

Representative Behnen resumed the Chair.

COMMITTEE REPORTS

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **SJR 19**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SBs 37, 322, 78, 351 & 424**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 402**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 17 - Rules

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SBs 37, 322, 78, 351 & 424 - Fiscal Review (Fiscal Note)
HCS SS SB 402 - Fiscal Review (Fiscal Note)

SUPPLEMENTAL CALENDAR

MAY 11, 2005

SENATE JOINT RESOLUTION FOR THIRD READING

SJR 19 - Jackson

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 37, 322, 78, 351 & 424 - (Fiscal Review 5-11-05) - Stevenson
- 2 HCS SS SB 402 - (Fiscal Review 5-11-05) - Johnson (47)

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 186**, entitled:

An act to repeal sections 67.459, 67.1775, 67.1922, 67.1934, 94.070, 94.660, 94.700, 144.044, 144.518, 184.357, 210.860, and 210.861, RSMo, and to enact in lieu thereof twenty new sections relating to local taxes, with an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 10 and Senate Amendment No. 11.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 3, Section 67.459, Line 15, by inserting after all of said line the following:

“67.1062. As used in sections 67.1062 to 67.1071, unless the context clearly requires otherwise, the following words and phrases mean:

- (1) “Agency”, an entity which provides [housing-related assistance] **any service related** to homeless persons or the repair or replacement of housing structures which are in violation of the county housing code, and shall include not-for-profit housing partnerships as defined in 24 CFR Part 92 or successor regulations;
- (2) “City”, any city not within a county;
- (3) “County”, a county of the first class having a charter form of government;
- (4) “Designated authority”, the board, commission, agency, or other body designated under the provisions of section 67.1065 as the authority to administer the allocation and distribution of funds to agencies;
- (5) “Homeless”, an involuntary state characterized by a lack of habitable housing or shelter.

67.1067. 1. Any agency providing [assistance] services related to homeless persons may apply to the designated authority for funds to be used to provide [housing] such services for the homeless. All applications shall include, but not be limited to, the following:

- (1) [Evidence that the agency is incorporated or authorized to do business in this state as a nonprofit corporation;
- (2)] A list of the directors of the corporation, and a list of the trustees of the agency if different;
- [(3)] (2) The proposed budget of the agency for the following calendar year, or other period for which funding is sought;

[(4)] (3) A summary of the services proposed to be offered in the following calendar year, or other period for which funding is sought;

[(5)] (4) An estimate of the number of persons to be served during the following calendar year, or other period for which funding is sought; and

[(6)] (5) Any other information deemed relevant to the application by the designated authority.

2. After review of an application for funds from an agency that meets the criteria set forth in section 67.1069, the designated authority shall notify the agency in writing whether it is eligible to receive funds and, if the agency is eligible, specify the amount available for that agency from the fund established pursuant to sections 67.1063 and 67.1064.

67.1069. To qualify for funds allocated and distributed pursuant to section 67.1067, an agency [shall meet] may be any entity which provides services related to homeless persons or which meets all of the following requirements:

(1) [Be incorporated or authorized to do business in the state as a nonprofit corporation;

(2)] Have trustees who represent the racial, ethnic and socioeconomic diversity of the community to be served, at least one of whom must possess experience in confronting or mitigating the problems of homeless;

[(3)] (2) Receive at least twenty-five percent of its funds from sources other than funds distributed pursuant to section 67.1067. These other sources may be public or private and may include contributions of goods or services, including materials, commodities, transportation, office space or other types of facilities or personal service; and

[(4)] (3) Require persons employed by or volunteering services to the agency to maintain the confidentiality of any information that would identify individuals served by the agency.

67.1070. Funds shall be allocated to:

(1) Agencies offering or proposing to offer the broadest range of housing-related services to persons in the community served, including:

(a) Emergency short-term and long-term shelter for the homeless;

(b) Prevention of residential foreclosures and evictions;

(c) Coordination of existing community services; and

(d) Projects to encourage self-sufficiency of participants and facilitate transition from dependency on subsidized housing;

(2) Other [agencies offering or proposing to offer services specifically to homeless persons] entities essential for carrying out the purposes of this section.”; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Pages 1-2, Section 66.625, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 3, Section 67.459, Line 15 of said page, by inserting after all of said line the following:

"67.1003. 1. The governing body of any city or county, other than a city or county already imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such city or county or a portion thereof pursuant to any other law of this state, having more than three hundred fifty hotel and motel rooms inside such city or county or (1) a county of the third classification with a population of [(1)] more than seven thousand but less than seven thousand four hundred inhabitants; (2) or a third class city with a population of greater than ten thousand but less than eleven thousand located in a county of the third classification with a township form of government with a population of more than thirty thousand; (3) or a county of the third classification with a township form of government with a population of more than twenty thousand but less than twenty-one thousand; (4) or any third class city with a population of more than eleven thousand but less than thirteen thousand which is located in a county of the third classification with a population of more than twenty-three thousand but less than twenty-six thousand; (5) or any city

of the third classification with more than ten thousand five hundred but fewer than ten thousand six hundred inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county or a portion thereof, which shall be not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city or county to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. Notwithstanding any other provision of law to the contrary, the tax authorized in this section shall not be imposed in any city or county already imposing such tax pursuant to any other law of this state, except that cities of the third class having more than two thousand five hundred hotel and motel rooms, and located in a county of the first classification in which and where another tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in such county is imposed, may impose the tax authorized by this section of not more than one-half of one percent per occupied room per night.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
Shall (insert the name of the city or county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city or county) at a rate of (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ Yes

☐ No

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 26, Section 94.070, Line 25 of said page, by inserting immediately after said line the following:

"94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tippling houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of twenty-seven dollars per room per year. No hotel or motel in such city shall be required to pay a license fee in excess

of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

5. Any city under subsection 4 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed one-eighth of one percent of such hotel or motel's gross revenue.

6. Any city under subsection 1, 2, and 3 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

(1) One-eighth of one percent of such hotel or motel's gross revenue; or

(2) The business license tax rate for such hotel or motel on May 1, 2005.

7. The provisions of subsection 6 shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 37, Section 94.838, Line 12, by inserting after all of said line the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.584, RSMo; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310, RSMo) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases

and manufactured goods, including without limitation, slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility which converts recovered materials into a new product, or a different form which is used in producing a new product, and shall include a facility or equipment which is used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms "motor vehicle" and "highway" shall have the same meaning pursuant to section 301.010, RSMo;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, RSMo, solely in the transportation of persons or property in interstate commerce;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200, RSMo. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the air conservation commission which may uphold or reverse such action;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices, and so certified as such by the director of the department of natural resources, except that any action by the director pursuant to this subdivision may be appealed to the Missouri clean water commission which may uphold or reverse such action;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, [solely] in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530, RSMo;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, RSMo, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use;

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536, RSMo, to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, which is ultimately consumed in connection with the manufacturing of cellular glass products;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property purchased for use or consumption directly or exclusively in the research and development of prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, RSMo, and licensed pursuant to sections 273.325 to 273.357, RSMo;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) Tangible personal property purchased for use or consumption directly or exclusively in research or experimentation activities performed by life science companies and so certified as such by the director of the department of economic development or the director's designees; except that, the total amount of exemptions certified pursuant to this section shall not exceed one million three hundred thousand dollars in state and local taxes per fiscal year. For purposes of this subdivision, the term "life science companies" means companies whose primary research activities are in agriculture, pharmaceuticals, biomedical or food ingredients, and whose North American Industry Classification System (NAICS) Codes fall under industry 541710 (biotech research or development laboratories), 621511 (medical laboratories) or 541940 (veterinary services). The exemption provided by this subdivision shall expire on June 30, 2003;

(38) All sales or other transfers of tangible personal property to a lessor, who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer, to an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 37, Section 94.838, Line 12, by inserting immediately after said line the following:

"135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. **A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year following the year for which the property tax credit is claimed.** The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be

expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) "Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(5) "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less two thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

(6) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;

(7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year.

137.106. 1. This section may be known and may be cited as "The Missouri Homestead Preservation Act".

2. As used in this section, the following terms shall mean:

(1) "Department", the department of revenue;

(2) "Director", the director of revenue;

(3) "Disabled", as such term is defined in section 135.010, RSMo;

(4) "Eligible owner", any individual owner of property who is sixty-five years old or older as of January first of the tax year in which the individual is claiming the credit or who is disabled, and who had an income of equal to or

less than the maximum upper limit in the year prior to completing an application pursuant to subsection 4 of this section; in the case of a married couple owning property either jointly or as tenants by the entirety, or where only one spouse owns the property, such couple shall be considered an eligible taxpayer if both spouses have reached the age of sixty-five or if one spouse is disabled, or if one spouse is at least sixty-five years old and the other spouse is at least sixty years old, and the combined income of the couple in the year prior to completing an application pursuant to subsection 4 of this section did not exceed the maximum upper limit; **in the case of property held in trust, the eligible owner and recipient of the tax credit shall be the trust itself provided the previous owner of the homestead or the previous owner's spouse: is the settlor of the trust with respect to the homestead; currently resides in such homestead; and but for the transfer of such property would have satisfied the age, ownership, and maximum upper limit requirements for income as defined in subdivisions 7 and 8 of this subsection;** no individual shall be an eligible owner if the individual has not paid their property tax liability, if any, in full by the payment due date in any of the three prior tax years, except that a late payment of a property tax liability in any prior year, [not including the year in which the application was completed,] shall not disqualify a potential eligible owner if such owner paid in full the tax liability and any and all penalties, additions and interest that arose as a result of such late payment; no individual shall be an eligible owner if such person [qualifies] **filed a valid claim** for the senior citizens property tax relief credit pursuant to sections 135.010 to 135.035, RSMo;

(5) "Homestead", as such term is defined pursuant to section 135.010, RSMo, except as limited by provisions of this section to the contrary. No property shall be considered a homestead if such property was improved since the most recent annual assessment by more than five percent of the prior year appraised value, **except where an eligible owner of the property has made such improvements to accommodate a disabled person;**

(6) "Homestead exemption limit", a percentage increase, rounded to the nearest hundredth of a percent, which shall be equal to the percentage increase to tax liability, not including improvements, of a homestead from one tax year to the next that exceeds a certain percentage set pursuant to subsection [8] 10 of this section. **For applications filed in 2005 or 2006, the homestead exemption limit shall be based on the increase to tax liability from 2004 to 2005. For applications filed between April 1, 2005 and September 30, 2006, an eligible owner, who otherwise satisfied the requirements of this section, shall not apply for the homestead exemption credit more than once during such period. For applications filed after 2006, the homestead exemption limit shall be based on the increase to tax liability from two years prior to application to the year immediately prior to application;**

(7) "Income", federal adjusted gross income, **and in the case of ownership of the homestead by trust, the income of the settlor applicant shall be imputed to the income of the trust for purposes of determining eligibility with regards to the maximum upper limit;**

(8) "Maximum upper limit", in the calendar year 2005, the income sum of seventy thousand dollars; in each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined pursuant to article X, section 17 of the Missouri Constitution.

3. Pursuant to article X, section 6(a) of the Constitution of Missouri, if in the prior tax year, the property tax liability on any parcel of subclass (1) real property increased by more than the homestead exemption limit, without regard for any prior credit received due to the provisions of this section, then any eligible owner of the property shall receive a homestead exemption credit to be applied in the current tax year property tax liability to offset the prior year increase to tax liability that exceeds the homestead exemption limit, except as eligibility for the credit is limited by the provisions of this section. The amount of the credit shall be listed separately on each taxpayer's tax bill for the current tax year, or on a document enclosed with the taxpayer's bill. The homestead exemption credit shall not affect the process of setting the tax rate as required pursuant to article X, section 22 of the Constitution of Missouri and section 137.073 in any prior, current, or subsequent tax year.

4. **If application is made in 2005**, any potential eligible owner may apply for the homestead exemption credit by completing an application through their local assessor's office. Applications may be completed between April first and September thirtieth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided to the assessor's office by the department. Forms also shall be made available on the department's Internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property; and
- (4) That any improvements made to the homestead, **not made to accommodate a disabled person**, did not total more than five percent of the prior year appraised value.

The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the two prior tax years.

5. If application is made in 2005, the assessor, upon [receiving] **request for** an application, shall:

(1) Certify the parcel number and owner of record as of January first of the homestead, including verification of the acreage classified as residential on the assessor's property record card;

(2) Obtain appropriate prior tax year levy codes for each homestead from the county clerks **for inclusion on the form**;

(3) Record on the application the assessed valuation of the homestead for the current tax year, and any new construction or improvements for the current tax year; and

(4) Sign the application, certifying the accuracy of the assessor's entries.

6. If application is made after 2005, any potential eligible owner may apply for the homestead exemption credit by completing an application. Applications may be completed between April 1 and September 30 of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided by the department. Forms also shall be made available on the department's internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

(1) **To the applicant's age;**

(2) **That the applicant's prior year income was less than the maximum upper limit;**

(3) **To the address of the homestead property;**

(4) **That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value; and**

(5) **The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the three prior tax years.**

7. Each applicant shall send the application to the department by September thirtieth of each year for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the application was completed.

[7.] **8. If application is made in 2005**, upon receipt of the applications, the department shall calculate the tax liability, adjusted to exclude new construction or improvements verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant has also filed a valid application for the senior citizens property tax credit, pursuant to sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit, and provide a list of all verified eligible owners to the county collectors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county collectors or county clerks in counties with a township form of government shall provide a list to the department of any verified eligible owners who failed to pay the property tax due for the tax year that ended immediately prior. Such eligible owners shall be disqualified from receiving the credit in the current tax year.

[8.] **9. If application is made after 2005, upon receipt of the applications, the department shall calculate the tax liability, verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant also has filed a valid application for the senior citizens property tax credit under sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income is verified, the director shall determine eligibility for the credit and provide a list of all verified eligible owners to the county assessors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county assessors shall provide a list to the department of any verified eligible owners who made improvements not for accommodation of a disability to the homestead and the dollar amount of the assessed value of such improvements. If the dollar amount of the assessed value of such improvements totaled more than five percent of the prior year appraised value, such eligible owners shall be disqualified from receiving the credit in the current tax year.**

10. The director shall calculate the level of appropriation necessary to set the homestead exemption limit at five percent when based on a year of general reassessment or at two and one-half percent when based on a year without general reassessment for the homesteads of all verified eligible owners, and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the office of budget and planning in the office of administration by January thirty-first of each year.

[9.] **11.** [If, in any given year,] **For applications made in 2005**, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall,

by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all but one-quarter of one percent of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. The remaining one-quarter of one percent shall be distributed to the county assessment funds of each county on a proportional basis, based on the number of eligible owners in each county; such one-quarter percent distribution shall be delineated in any such appropriation as a separate line item in the total appropriation. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

[10.] **12.** After setting the homestead exemption limit **for applications made in 2005**, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation **and assessment fund allocation** to the county collector's funds of each county **or the treasurer ex officio collector's fund in counties with a township form of government** where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued, plus the one-quarter of one percent distribution for the county assessment funds. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section plus the one-quarter of one percent distribution for the county assessment funds. Funds, at the direction of the county collector **or the treasurer ex officio collector in counties with a township form of government**, shall be deposited in the county collector's fund of a county **or the treasurer ex officio collector's fund** or may be sent by mail to the collector of a county, **or the treasurer ex officio collector in counties with a township form of government**, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues **by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government**, so as to exactly offset each homestead exemption credit being issued. **In counties with a township form of government, the county clerk shall provide the treasurer ex officio collector a summary of the homestead exemption credit for each township for the purpose of distributing the total homestead exemption credit to each township collector in a particular county.**

[11.] **13.** If, in any given year after 2005, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

14. After setting the homestead exemption limit for applications made after 2005, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation to the county collector's fund of each county where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section. Funds, at the direction of the collector of the county or treasurer ex-officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or may be sent by mail to the collector of a county, or treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector

of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued.

15. The department shall promulgate rules for implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. Any rule promulgated by the department shall in no way impact, affect, interrupt, or interfere with the performance of the required statutory duties of any county elected official, more particularly including the county collector when performing such duties as deemed necessary for the distribution of any homestead appropriation and the distribution of all other real and personal property taxes.

[12.] 16. In the event that an eligible owner dies or transfers ownership of the property after the homestead exemption limit has been set in any given year, but prior to [the mailing of the tax bill] **January first of the year in which the credit would otherwise be applied**, the credit shall be void and any corresponding moneys, pursuant to subsection 10 of this section, shall lapse to the state to be credited to the general revenue fund. **In the event the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government determines prior to issuing the credit that the individual is not an eligible owner because the individual did not pay the prior three years' property tax liability in full, the credit shall be void and any corresponding moneys, under subsection 11 of this section, shall lapse to the state to be credited to the general revenue fund.**

[13.] 17. This section shall apply to all tax years beginning on or after January 1, 2005. This subsection shall become effective June 28, 2004.

[14.] 18. In accordance with the provisions of sections 23.250 to 23.298, RSMo, and unless otherwise authorized pursuant to section 23.253, RSMo:

(1) Any new program authorized under the provisions of this section shall automatically sunset six years after the effective date of this section; and

(2) This section shall terminate on September first of the year following the year in which any new program authorized under this section is sunset, and the revisor of statutes shall designate such sections and this section in a revision bill for repeal."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 40, Section 67.1934, Line 27 of said page, by inserting after all of said line the following:

"67.1956. 1. In each tourism community enhancement district established pursuant to section 67.1953, there shall be a board of directors, to [initially] consist of [not less than five] **seven** members. [One member] **Three members** shall be selected by the governing body of the city, town or village, [with the largest population, at the inception of the district, within the district. One member] **located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. Two members** shall be selected by the governing body of the city, town or village, [with the second largest population, at the inception of the district, within the district] **located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district**, if such a city, town or village exists in the district. If no such city, town or village exists in the district then [one member] **two additional members** shall be selected by [the board of directors of the district from the unincorporated area of such district. Two members] **the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member** shall be selected by the [largest convention and visitor's bureau or similar organization, at the inception of the district, within] **governing body of the county located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member** shall be selected by the [destination marketing organization of the second largest county, city, town or village, at the inception of the district, within] **governing body of the county located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district.**

2. Of the members first selected, the [two] **three** members from the city, town or village **located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district** shall be selected for a term of three years, the two members from the [convention and visitor's bureau] **the city, town, or village located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district** shall be selected for a term of two years, and the [member from the destination marketing organization of the second largest city] **the remaining members** shall be selected for a term of one year. Thereafter, each member selected shall serve a three-year term. Every member shall be **either a resident of the district, own real property within the district, be employed by a business within the district, or operate a business within the district.** All members shall serve without compensation. [Any vacancy within the board shall be filled in the same manner as the person who vacated the position was selected, with the new person serving the remainder of the term of the person who vacated the position.] The board shall elect its own treasurer, secretary and such other officers as it deems necessary and expedient, and it may make such rules, regulations, and bylaws to carry out its duties pursuant to sections 67.1950 to 67.1977.

[2. Any time a district is expanded by either an unincorporated or incorporated area, the board shall be expanded by two members. One member shall be appointed by the governing body of the incorporated area added to the district or by the board of directors of the district for the unincorporated area added to the district and one member shall be appointed by the governing body of the city, town or village with the largest population at the inception of the district for the first expansion and every odd-numbered expansion thereafter, or by the convention and visitor's bureau or similar entity of the largest city, town or village, at the inception of the district, for the second expansion and every even-numbered expansion thereafter.]

3. Any vacancy within the board shall be filled in the same manner as the person who vacated the position was selected within sixty days of the vacancy occurring, with the new person serving the remainder of the term of the person who vacated the position. In the event that a person is not so selected within sixty days of the vacancy occurring, the remaining members of the board shall select a person to serve the remainder of the term of the person who vacated the position.

4. If a tourism community enhancement district is already in existence on August 28, 2005, the one additional board member shall be appointed by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district for a one year term and the other additional board member shall be appointed by the governing body of the county located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district for a two year term, thereafter all board members shall serve three year terms. The existing board members shall serve out their terms with the provisions of this section controlling the appointment of successor board members, with first and second board existing positions to expire to be appointed by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district, the third and fourth existing board positions to expire to be appointed by the governing body of the city, town, or village located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district and the fifth existing board position to expire to be appointed by the governing body of the county located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district.

[3.] 5. The board, on behalf of the district, may:

- (1) Cooperate with public agencies and with any industry or business located within the district in the implementation of any project;
- (2) Enter into any agreement with any public agency, person, firm, or corporation to implement any of the provisions of sections 67.1950 to 67.1977;
- (3) Contract and be contracted with, and sue and be sued; and
- (4) Accept gifts, grants, loans, or contributions from the United States of America, the state, any political subdivision, foundation, other public or private agency, individual, partnership or corporation on behalf of the tourism enhancement district community.

67.1959. 1. The board, by a majority vote, may submit to the residents of such district a tax of not more than one percent on all retail sales, except **sales of food as defined in section 144.014**, sales of new or used motor vehicles, trailers, boats, or other outboard motors and sales of funeral services, made within the district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo. Upon the written request of the board to the election authority of the county in which a majority of the area of the district is situated, such election authority shall

submit a proposition to the residents of such district at a municipal or statewide primary or general election, or at a special election called for that purpose. Such election authority shall give legal notice as provided in chapter 115, RSMo.

2. Such proposition shall be submitted to the voters of the district in substantially the following form at such election:

Shall the Tourism Community Enhancement District impose a sales tax of (insert amount) for the purpose of promoting tourism [and community enhancements in the (name of county, city, town or village that includes a majority of the area within the proposed district) Tourism Community Enhancement District] **in the district?**

☐ Yes

☐ No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the proposed district voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If the proposal receives less than the required majority, then the board shall have no power to impose the sales tax authorized pursuant to this section unless and until the board shall again have submitted another proposal to authorize the board to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district.

67.1968. Expenditures may be made from the tourism community enhancement district sales tax trust fund or moneys collected pursuant to section 67.1965 for any purposes authorized pursuant to subsection 1 of section 67.1959, provided as follows:

(1) [Ten percent of the revenues shall be used for education purposes. The board shall transmit those revenues to the school district or districts within the district, on a basis of revenue collected within each school district. These revenues shall not be used in any manner with respect to the calculation of the state school aid pursuant to chapter 163, RSMo;

(2) Ten percent of the revenues collected from the tax authorized by this section shall be used by the board for senior citizen or youth or community enhancement purposes within the district. The board shall distribute these revenues to the cities, towns and villages based upon the amount of sales tax collected within each city, town or village and the portion of the revenues not attributable to any city, town or village shall be distributed at the discretion of the board;

(3) Seventy-five percent of the revenues shall be used by the board for marketing, advertising and promotion of tourism. The district shall enter into an agreement with a not-for-profit organization providing local support services, including but not limited to visitor's centers, to conduct and administer public relations, sales and marketing of tourism on behalf of the district to enhance the economic health of the district. Such marketing, advertising and promotional activities shall be developed into a comprehensive marketing plan, for the benefit of the district;

(4) Two percent of the revenues shall be distributed among each destination marketing organization located within each school district or districts within the district based upon the amount of sales tax collected within each school district;

(5) Two percent of the revenues shall be transmitted to the not-for-profit organization conducting and administering the marketing plan within the district for purposes of administering the marketing plan] **One percent of the revenues collected from the tax authorized by this section may be held in reserve and used by the board for the reimbursement of or for lawful and reasonable administrative expenses involved with the board's fulfillment of their statutory duties including, but not limited to, insurance, election costs, legal, accounting, and audit fees, administrative services and travel. If such reasonable expenses, plus a reasonable reserve, exceeds the revenues provided in this subsection, then the additional revenues necessary for such reasonable expenses shall come from the revenues provided in subsection 2 of this section. If such reasonable expenses, plus a reasonable reserve, do not exceed the revenues provided in this subsection, the board may use the excess funds in the same manner as the revenues provided in subsection 2 of this section.**

(2) **Ninety-eight percent of the revenues collected from the tax authorized by this section shall be used by the board for marketing, advertising, and promotion of tourism, the administration thereof, and a reasonable reserve. The district shall enter into an agreement with an organization or organizations to conduct and administer functions such as public relations, sales and marketing of tourism on behalf of the district to enhance the economic health of the district. Such marketing, advertising, and promotional activities shall be developed into a comprehensive marketing plan, for the benefit of the district. Up to two percent of the revenues in this subsection, at the sole discretion of the board, may be distributed among each destination marketing organization, located within each school district, for marketing based upon a marketing plan which shall be submitted each year**

by the destination marketing organizations located within the district, if such marketing plan is approved by the board;

(3) One percent of the revenues collected from the tax authorized by this section may be retained by the Missouri department of revenue or any other entity responsible for the collection of the sales tax.

67.1979. Members of the board of directors may be removed by [two-thirds] **a majority** vote of the appointing governing body."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 37, Section 94.838, Line 12 of said page, by inserting immediately after said line the following:

"100.050. 1. Any municipality proposing to carry out a project for industrial development shall first, by majority vote of the governing body of the municipality, approve the plan for the project. The plan shall include the following information pertaining to the proposed project:

- (1) A description of the project;
- (2) An estimate of the cost of the project;
- (3) A statement of the source of funds to be expended for the project;
- (4) A statement of the terms upon which the facilities to be provided by the project are to be leased or otherwise disposed of by the municipality; and

- (5) Such other information necessary to meet the requirements of sections 100.010 to 100.200.

2. If the plan for the project is approved after August 28, 2003, and the project plan involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality, the project plan shall additionally include the following information:

- (1) A statement identifying each school district, **junior college district**, county, or city affected by such project except property assessed by the state tax commission pursuant to chapters 151 and 153, RSMo;

- (2) The most recent equalized assessed valuation of the real property and personal property included in the project, and an estimate as to the equalized assessed valuation of real property and personal property included in the project after development;

- (3) An analysis of the costs and benefits of the project on each school district, **junior college district**, county, or city; and

- (4) Identification of any payments in lieu of taxes expected to be made by any lessee of the project, and the disposition of any such payments by the municipality.

3. If the plan for the project is approved after August 28, 2003, any payments in lieu of taxes expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of issuing the bonds and administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each school district, **junior college district**, county, or city in proportion to the current ad valorem tax levy of each school district, **junior college district**, county, or city; **however, in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, if the plan for the project is approved after May 15, 2005, such amounts shall be disbursed by the municipality's treasurer or other financial officer to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.**

100.059. 1. The governing body of any municipality proposing a project for industrial development which involves issuance of revenue bonds or involves conveyance of a fee interest in property to a municipality shall, not less than twenty days before approving the plan for a project as required by section 100.050, provide notice of the proposed project to the county in which the municipality is located and any school district that is a school district, **junior college district**, county, or city; **however, in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, if the plan for the project is approved after May 15, 2005, such notice shall be provided to all taxing affected entities in the county.** Such notice shall include the information required in section 100.050, shall state the date on which the governing body of the

municipality will first consider approval of the plan, and shall invite such school districts, counties, or cities to submit comments to the governing body and the comments shall be fairly and duly considered.

2. Notwithstanding any other provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to section 26(b), article VI, Constitution of Missouri, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes.

3. The county assessor shall include the current assessed value of all property within the school district, county, or city in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, RSMo, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to section 26(b), article VI, Constitution of Missouri.

4. This section is applicable only if the plan for the project is approved after August 28, 2003."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 37, Section 94.838, Line 12 of said page, by inserting immediately after said line the following:

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;
- (6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;
- (7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision **or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;** and
- (8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430, RSMo, or sections 238.010 to 238.100, RSMo, to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverts, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:
 - (a) The right of the interstate compact agency to use, control, and possess the property is terminated;
 - (b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and
 - (c) There are no provisions for reverter of the property within the limitation period for reverts."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 37, Section 94.838, Line 12, by inserting immediately after said line the following:

"137.073. 1. As used in this section, the following terms mean:

(1) "General reassessment", changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) "Tax rate", "rate", or "rate of levy", singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) "Tax rate ceiling", a tax rate as revised by the taxing authority to comply with the provisions of this section or when a court has determined the tax rate; except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, RSMo, less all adjustments required pursuant to article X, section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) "Tax revenue", when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term "tax revenue" shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, RSMo, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes pursuant to chapter 67, RSMo, shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505, RSMo, and section 164.013, RSMo, **or as excess home dock city or county fees as provided in subsection 4 of section 313.820, RSMo**, in the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term "tax revenue", as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books for any personal property, in the aggregate, or for any subclass of real property as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation of each subclass of real property, individually, and personal property, in the aggregate, exclusive of new construction and improvements. All political subdivisions shall immediately revise the applicable rates of levy for each purpose for each subclass of real property, individually, and personal property, in the aggregate, for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year for each subclass of real property, individually, and personal property, in the aggregate, except that the rate may not exceed the greater of the rate in effect in the 1984 tax year or the most recent voter-approved rate. Such tax revenue shall not include any receipts from ad valorem levies on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property. Where the taxing authority is a school district for the purposes of revising the applicable rates of levy for each subclass of real property, the tax revenues from state-assessed railroad and utility property shall be apportioned and attributed to each subclass of real property based on the percentage of the total assessed valuation of the county that each subclass of real property represents in the current taxable year. As provided in section 22 of article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor for any such subclass of real property or personal property shall be limited to the actual assessment growth in such subclass or class, exclusive of new construction and improvements, and exclusive of the assessed value on any real property which was assessed by the assessor of a county or city in the current year in a different subclass of real property, but not to exceed the consumer price index or five percent, whichever is lower. Should the tax revenue of a political subdivision from the various tax rates determined in this subsection be different than the tax revenue that would have

been determined from a single tax rate as calculated pursuant to the method of calculation in this subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of those subclasses of real property, individually, and/or personal property, in the aggregate, in which there is a tax rate reduction, pursuant to the provisions of this subsection. Such revision shall yield an amount equal to such difference and shall be apportioned among such subclasses of real property, individually, and/or personal property, in the aggregate, based on the relative assessed valuation of the class or subclasses of property experiencing a tax rate reduction. Such revision in the tax rates of each class or subclass shall be made by computing the percentage of current year adjusted assessed valuation of each class or subclass with a tax rate reduction to the total current year adjusted assessed valuation of the class or subclasses with a tax rate reduction, multiplying the resulting percentages by the revenue difference between the single rate calculation and the calculations pursuant to this subsection and dividing by the respective adjusted current year assessed valuation of each class or subclass to determine the adjustment to the rate to be levied upon each class or subclass of property. The adjustment computed herein shall be multiplied by one hundred, rounded to four decimals in the manner provided in this subsection, and added to the initial rate computed for each class or subclass of property. Notwithstanding any provision of this subsection to the contrary, no revision to the rate of levy for personal property shall cause such levy to increase over the levy for personal property from the prior year.

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, RSMo, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling for the particular subclass of real property or for personal property, in the aggregate, in the prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate for the particular subclass of real property or for personal property, in the aggregate, after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive for the three-year period preceding such determination.

4. (1) In order to implement the provisions of this section and section 22 of article X of the Constitution of Missouri, the term "improvements" shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, RSMo, sections 135.200 to 135.255, RSMo, and section 353.110, RSMo, shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. Notwithstanding any opt-out implemented pursuant to subsection 15 of section 137.115, the assessor shall certify the amount of new construction and improvements and the amount of assessed value on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property separately for each of the three subclasses of real property for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and

section 22, article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on June first of each year over the immediately preceding prior twelve-month period in order that political subdivisions shall have this information available in setting their tax rates according to law and section 22 of article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and section 22 of article X of the Missouri Constitution, the term "property" means all taxable property, including state assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or section 22 of article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and section 22 of article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of section 10(c) of article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to section 22 of article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with section 22 of article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo, shall be applied to the tax rate as established pursuant to this section and section 22 of article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be the current tax rate ceiling. The increased tax rate ceiling as approved may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate.

(3) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval.

6. (1) For the purposes of calculating state aid for public schools pursuant to section 163.031, RSMo, each taxing authority which is a school district shall determine its proposed tax rate as a blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first determining the total tax revenue of the property within the jurisdiction of the taxing authority, which amount shall be equal to the sum of the products of multiplying the assessed valuation of each class and subclass of property by the corresponding tax rate for such class or subclass, then dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then multiplying the resulting quotient by a factor of one-hundred. Where the taxing authority is a school district, such blended rate shall also be used by such school district for calculating revenue from state-assessed railroad and utility property as defined in chapter 151, RSMo, and for apportioning the tax rate by purpose.

(2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest one-tenth of a cent, unless its proposed tax rate is in excess of one dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-hundredth of a cent, it shall round up a fraction greater than or equal to five/one-thousandth of one cent to the next higher one/one-hundredth of a cent; if a taxing authority shall round to one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. Any taxing authority levying a property tax rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. All forms for the calculation of rates pursuant to this section shall be promulgated as a rule and shall not be incorporated by reference. Within thirty days after the effective date of this act, the state auditor shall promulgate rules for any and all forms for the calculation of rates pursuant to this section which do not currently exist in rule form or that have been incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be prima facie valid if, after making the payment for which the tax was levied, bonds remain

outstanding and the debt fund reserves do not exceed the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031, RSMo. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. A taxing authority, including but not limited to a township, county collector, or collector of taxes, responsible for determining and collecting the amount of residential real property tax levied in its jurisdiction, shall report such amount of tax collected by December thirty-first of each year such property is assessed to the state tax commission. The state tax commission shall compile the tax data by county or taxing jurisdiction and submit a report to the general assembly no later than January thirty-first of the following year.

11. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are

nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void."; and

Further amend said bill, Page 47, Section 210.861, Line 13, by inserting immediately after said line the following:

"313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) **"Capital, cultural, and special law enforcement purpose expenditures", shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;**

[(4)] (5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

[(5)] (6) "Commission", the Missouri gaming commission;

[(6)] (7) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(7)] (8) "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

(9) "Fiscal year", shall for the purposes of subsections 3 and 4 of section 313.820, mean the fiscal year of a home dock city or county;

[(8)] (10) "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(9)] (11) "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(10)] (12) "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(11)] (13) "Games of chance", any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(12)] (14) "Games of skill", any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

[(13)] (15) "Gross receipts", the total sums wagered by patrons of licensed gambling games;

[(14)] (16) "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(15)] (17) "Licensee", any person licensed under sections 313.800 to 313.850;

[(16)] (18) "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

(19) "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill referred to in subdivision [(12)] (14) of subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

- (1) Is it in the best interest of gaming to allow the game; and
- (2) Is the gambling game a game of chance or a game of skill?

All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.820. 1. An excursion boat licensee shall pay to the commission an admission fee of two dollars for each person embarking on an excursion gambling boat with a ticket of admission. One dollar of such fee shall be deposited to the credit of the gaming commission fund as authorized pursuant to section 313.835, and one dollar of such fee shall not be considered state funds and shall be paid to the home dock city or county. Subject to appropriation, one cent of such fee deposited to the credit of the gaming commission fund may be deposited to the credit of the compulsive gamblers fund created pursuant to the provisions of section 313.842. Nothing in this section shall preclude any licensee from charging any amount deemed necessary for a ticket of admission to any person embarking on an excursion gambling boat. If tickets are issued which are good for more than one excursion, the admission fee shall be paid to the commission for each person using the ticket on each excursion that the ticket is used. If free passes or complimentary admission tickets are issued, the excursion boat licensee shall pay to the commission the same fee upon these passes or complimentary tickets as if they were sold at the regular and usual admission rate; however, the excursion boat licensee may issue fee-free passes to actual and necessary officials and employees of the licensee or other persons actually working on the excursion gambling boat. The issuance of fee-free passes is subject to the rules of the commission, and a list of all persons to whom the fee-free passes are issued shall be filed with the commission.

2. All licensees are subject to all income taxes, sales taxes, earnings taxes, use taxes, property taxes or any other tax or fee now or hereafter lawfully levied by any political subdivision; however, no other license tax, permit tax, occupation tax, excursion fee, or taxes or fees shall be imposed, levied or assessed exclusively upon licensees by a political subdivision. All state taxes not connected directly to gambling games shall be collected by the department of revenue. Notwithstanding the provisions of section 32.057, RSMo, to the contrary, the department of revenue may furnish and the commission may receive tax information to determine if applicants or licensees are complying with the tax laws of this state; however, any tax information acquired by the commission shall not become public record and shall be used exclusively for commission business.

3. **Effective fiscal year 2008 and each fiscal year thereafter, the amount of revenue derived from admission fees paid to a home dock city or county shall not exceed the percentage of gross revenue realized by the home dock city or county attributable to such admission fees for fiscal year 2007. In the case of a new casino, the provisions of this section shall become effective two years from the opening of such casino and the amount of revenue derived from admission fees paid to a home dock city or county shall not exceed the average percentage of gross revenue realized by the home dock city or county attributable to such admission fees for the first two fiscal years in which such casino opened for business. Effective fiscal year 2010 and each subsequent fiscal year until fiscal year 2015, the percentage of all revenue derived by a home dock city or county from such admission fees used for expenditures other than capital, cultural, and special law enforcement purpose expenditures shall be limited to not more than thirty percent. Effective fiscal year 2015 and each subsequent fiscal, the percentage**

of all revenue derived by a home dock city or county from such admission fees used for expenditures other than capital, cultural, and special law enforcement purpose expenditures shall be limited to not more than twenty percent.

4. After fiscal year 2007, in any fiscal year in which a home dock city or county collects an amount over the limitation on revenue derived from admission fees provided in subsection 1 of this section, such revenue shall be treated as if it were sales tax revenue within the meaning of section 67.505, RSMo, provided that the home dock city or county shall reduce its total general revenue property tax levy, in accordance with the method provided in subdivision (6) of subsection 3 of section 67.505, RSMo.

5. The provisions of subsections 3 and 4 of this section shall not affect the imposition or collection of a tax under section 313.822.

6. The provisions of subsections 3 and 4 of this section shall not apply to any city of the third classification with more than eight thousand two hundred but fewer than eight thousand three hundred inhabitants, any county of the third classification without a township form of government and with more than sixteen thousand six hundred but fewer than sixteen thousand seven hundred inhabitants, any county of the third classification without a township form of government and with more than ten thousand two hundred but fewer than ten thousand three hundred inhabitants, any home rule city with more than four hundred thousand inhabitants and located in more than one county, any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants, any city of the fourth classification with more than two thousand nine hundred but fewer than three thousand inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but fewer than seventy-three thousand eight hundred inhabitants, any county of the first classification with more than seventy-three thousand seven hundred but fewer than seventy-three thousand eight hundred inhabitants, any city of the third classification with more than six thousand seven hundred but fewer than six thousand eight hundred inhabitants and located in any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty thousand one hundred inhabitants, any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty thousand one hundred inhabitants, any city of the third classification with more than four thousand seven hundred but fewer than four thousand eight hundred inhabitants and located in any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants, any city of the third classification with more than twenty-five thousand seven hundred but fewer than twenty-five thousand nine hundred inhabitants, any county with a charter form of government and with more than one million inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, any special charter city with more than nine hundred fifty but fewer than one thousand fifty inhabitants, any county of the third classification without a township form of government and with more than ten thousand four hundred but fewer than ten thousand five hundred inhabitants, any city not within a county, any home rule city with more than seventy-three thousand but fewer than seventy-five thousand inhabitants, and any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186, Page 40, Section 144.518, Line 6, by inserting after all of said line the following:

"184.352. The following terms whenever used or referred to in sections 184.350 to 184.384 shall unless a different intent clearly appears from the context be construed to have the following meaning:

(1) "African American history museum and cultural subdistrict", shall consist of a political subdistrict which shall provide for the collection, preservation, and exhibition of items relating to the history and culture of African Americans, more specifically for interpretation through core exhibits that may include wax sculptures, photographs, paintings, and other artistic expressions; and further for the collection of costumes, archaeological anthropological material, artifacts, and memorabilia; and for the maintenance of archives, including manuscripts, personal records, and other material that relates to the African American experience to American history; and to provide for the preservation of American music traditions, including ragtime, jazz, blues, and gospel; and to

provide technical assistance and advisory service for historic research or which may contract with another person with the capability of providing such services;

(2) "Art museum subdistrict" shall consist of such institutions and places for the purpose of collection and exhibition of pictures, statuary and other works of art and whatever else may be of artistic interest and appropriate for exhibition in an art gallery or museum for instruction in art and in general for the promotion by all proper means of aesthetic or artistic education;

[(2)] (3) "Board", the governing body of the metropolitan zoological park and museum district;

[(3)] (4) "Botanical garden subdistrict" shall consist of a political subdistrict which shall provide for the collection and exhibition of displays of things relating to plants or botany, for the promotion of plant life and related subjects, educational and research activities, for the maintenance of a botanical library, and for the promotion by all proper means of public interest in plant life and botany; or which may contract with another person with the capability of providing such services;

[(4)] (5) "City", a constitutional charter city not located within a county;

[(5)] (6) "Commission", the governing body of each of the respective subdistricts as may be authorized as provided in section 184.350, 184.351, or 184.353;

[(6)] (7) "County", a constitutional charter county adjoining a constitutional charter city;

[(7)] (8) "District", the metropolitan zoological park and museum district;

[(8)] (9) "Missouri history museum subdistrict" shall consist of a political subdistrict which shall provide for the collection, preservation, and exhibition of items relating to the history of the entire state of Missouri and of the Louisiana Purchase Territory, and more specifically for the collection and display of photographs, paintings, costumes, archaeological and anthropological material, artifacts and memorabilia pertaining to the political, commercial and cultural history of the region, including extensive artifacts, memorabilia, historical documents concerning the first solo transatlantic flight, for the promotion of archaeological and historical studies, for the maintenance of a history library and archives, including manuscripts documenting the first United States sponsored exploratory expedition of the Louisiana Purchase Territory as well as papers of the president who authorized the Louisiana Purchase, and for the promotion by all proper means of public interest in the history of Missouri and the region in which it is located, and, as otherwise provided by law and in cooperation with the department of natural resources of the state of Missouri, to provide technical assistance and advisory services for the collection, preservation, and exhibition of recordings, instruments, and memorabilia of ragtime, jazz and blues music including ragtime pianos and ragtime piano sheet music to be housed and maintained at the Scott Joplin house state historic site; or which may contract with another person having all of the historical materials listed herein as well as the capability of providing all of the services listed herein;

[(9)] (10) "Recreation and amateur sports subdistrict" shall consist of a political subdistrict which shall provide for and assist in the planning, development, financing, maintenance, improvement and construction of facilities and venues to be publicly owned and operated by political subdivisions, public school districts, universities and colleges, or not-for-profit corporations chartered to attract, promote and manage major national and international amateur sports events, competitions and programs for the use of the general public. Such subdistrict shall structure its procedures for procuring supplies, services and construction to achieve the result that a minimum of twenty percent in the aggregate of the total dollar value of annual procurements is made directly or indirectly from certified socially and economically disadvantaged small business concerns;

[(10)] (11) "St. Louis Science Center subdistrict" shall consist of such institutions and places for the purpose of collection and exhibition of displays of items of natural historical, industrial, transport and scientific interest, the instruction and recreation of the people, for the promotion of the study of science, industrial, transport and natural history and kindred subjects and for the promotion by all proper means of public interest in natural history, transport, industry and science;

[(11)] (12) "Special election", an election held on the first Tuesday of April or whenever propositions are submitted to the voters of the whole district;

[(12)] (13) "Symphony orchestra subdistrict" shall consist of a political subdistrict which shall provide for regular performances of a symphony orchestra with not less than ninety full-time symphonic musicians, own its own concert hall in which a substantial number of its concerts shall be held, and provide for the promotion by all proper means of public interest in music; or which may contract with another person with the capability of providing such services and which owns its own concert hall;

[(13)] (14) "Transport museum subdistrict" shall consist of a political subdistrict which shall provide for institutions and places for the edification of the public in the history and science of transportation, communications and powering, and more specifically for the preservation and display of artifacts related to man's efforts to transport materials, people, and ideas and to create, transmit, and utilize power, and for the provision of a library of publications and other records containing history and technology related to transportation, communications and powering, and

facilities for the study of such efforts; or which may contract with another person with the capability of providing such services;

[(14)] (15) "Zoological subdistrict" shall consist of such institutions and places for the collection and exhibition of animals and animal life, for the instruction and recreation of the people, for the promotion of zoology and kindred subjects, for the encouragement of zoological study and research and for the increase of public interest in wild animals and in the protection of wild animal life.

184.353. 1. (1) The board of directors of any metropolitan zoological park and museum district, as established according to the provisions of sections 184.350 to 184.384, on behalf of the district may request the election officials of any city and county containing all or part of such district to submit the following described proposition to the qualified voters of such district at any general, primary or special election. Such election officials shall give legal notice at least sixty days prior to such general, primary or special election in at least two newspapers that such proposition shall be submitted at any general, primary or special election held for submission of the proposition.

(2) Such proposition shall be submitted to the voters in substantially the following form at such election:

Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to provide for a Botanical Garden Subdistrict and be authorized to provide the Botanical Garden Subdistrict with a tax rate not in excess of four cents on each \$100 of assessed valuation of taxable property within the district?

☐ YES

☐ NO

(3) In the event that a majority of all the voters voting on such proposition in such city and a majority of voters voting on such proposition in such county cast "YES" votes on the proposition, then the botanical garden subdistrict shall be deemed established and the tax rate, as established by the board for such subdistrict, shall be deemed in full force and effect as of the first day of the second month following the election. The results of the election shall be certified by the election officials of such city and county, respectively, to the respective chief executive officers of such city and county not less than thirty days after the day of the election. The cost of the election shall be paid as provided by sections 115.063 and 115.065, RSMo. In the event the proposition shall fail to receive a majority of the "YES" votes in either the city or the county, then the proposition shall not be resubmitted at any election held prior to the next general or primary election in such city or county in the following year. Any such resubmission shall subsequently comply with the provisions of sections 184.350 to 184.384.

(4) If the botanical garden subdistrict shall be established, then its commissioners, or any person with whom its commissioners contract, may establish and charge fees for admission to the premises of the botanical garden subdistrict, or to the premises of any person with whom its commissioners contract, not to exceed one dollar for adults and fifty cents for children under sixteen years of age. Any increase in the fees shall be presented prior to implementation for approval or disapproval to the board of the metropolitan zoological park and museum district of which the botanical garden subdistrict is a member.

2. (1) The board of directors of any metropolitan zoological park and museum district, as established according to the provisions of sections 184.350 to 184.384, on behalf of the district may request the election officials of any city and county containing all or part of such district to submit the following described proposition to the qualified voters of such district at any general, primary or special election. Such election officials shall give legal notice at least sixty days prior to such general, primary or special election in at least two newspapers that such proposition shall be submitted at any general, primary or special election held for submission of the proposition.

(2) Such proposition shall be submitted to the voters in substantially the following form at such election:

Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to provide for a Transport Museum Subdistrict and be authorized to provide the Transport Museum Subdistrict with a tax rate not in excess of four cents on each \$100 of assessed valuation of taxable property within the district?

☐ YES

☐ NO

(3) In the event that a majority of all the voters voting on such proposition in such city and a majority of voters voting on such proposition in such county cast "YES" votes on the proposition, then the transport museum subdistrict shall be deemed established and the tax rate, as established by the board for such subdistrict, shall be deemed in full force and effect as of the first day of the second month following the election. The results of the election shall be certified by the election officials of such city and county, respectively, to the respective chief executive officers of such city and county not less than thirty days after the day of the election. The cost of the election shall be paid as provided by sections 115.063 and 115.065, RSMo. In the event the proposition shall fail to receive a majority of the "YES" votes in either the city or the county, then the proposition shall not be resubmitted at any election held prior to the next general or primary election in such city or county in the following year. Any such resubmission shall subsequently comply with the provisions of sections 184.350 to 184.384.

(4) If the transport museum subdistrict shall be established, then its commissioners, or any person with whom its commissioners contract, may establish and charge fees for admission to the premises of the transport museum subdistrict, or to the premises of any person with whom its commissioners contract, not to exceed one dollar for adults and fifty cents for children under sixteen years of age. Any increase in the fees shall be presented prior to implementation for approval or disapproval to the board of the metropolitan zoological park and museum district of which the transport museum subdistrict is a member.

3. (1) The board of directors of any metropolitan zoological park and museum district, as established according to the provisions of sections 184.350 to 184.384, on behalf of the district may request the election officials of any city and county containing all or part of such district to submit the following described proposition to the qualified voters of such district at any general, primary or special election. Such election officials shall give legal notice at least sixty days prior to such general, primary or special election in at least two newspapers that such proposition shall be submitted at any general, primary or special election held for submission of the proposition.

(2) Such proposition shall be submitted to the voters in substantially the following form at such election:

Shall the Metropolitan Zoological Park and Museum District of the City of and the County of be authorized to provide for a Missouri History Museum Subdistrict and be authorized to provide the Missouri History Museum Subdistrict with a tax rate not in excess of four cents on each \$100 of assessed valuation of taxable property within the district?

☐ YES

☐ NO

(3) In the event that a majority of all the voters voting on such proposition in such city and a majority of voters voting on such proposition in such county cast "YES" votes on the proposition, then the Missouri history museum subdistrict shall be deemed established and the tax rate, as established by the board for such subdistrict, shall be deemed in full force and effect as of the first day of the second month following the election. The results of the election shall be certified by the election officials of such city and county, respectively, to the respective chief executive officers of such city and county not less than thirty days after the day of the election. The cost of the election shall be paid as provided by sections 115.063 and 115.065, RSMo. In the event the proposition shall fail to receive a majority of the "YES" votes in either the city or the county, then the proposition shall not be resubmitted at any election held prior to the next general or primary or special election in such city or county in the following year. Any such resubmission shall subsequently comply with the provisions of sections 184.350 to 184.384.

4. (1) The board of directors of any metropolitan zoological park and museum district, as established according to the provisions of sections 184.350 to 184.354, on behalf of the district may request the election officials of any city and county containing all or part of such district to submit the following described proposition to the qualified voters of such district at any general, primary or special election. Such election officials shall give legal notice at least sixty days prior to such general, primary or special election in at least two newspapers that such proposition shall be submitted at any general, primary or special election held for submission of the proposition.

(2) Such proposition shall be submitted to the voters in substantially the following form at such election:

Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to provide for a Symphony Orchestra Subdistrict and be authorized to provide the Symphony Orchestra Subdistrict with a tax rate not in excess of four cents on each \$100 of assessed valuation of taxable property within the district?

☐ YES

☐ NO

(3) In the event that a majority of all the voters voting on such proposition in such city and a majority of voters voting on such proposition in such county cast "YES" votes on the proposition, then the symphony orchestra subdistrict shall be deemed established and the tax rate, as established by the board for such subdistrict, shall be deemed in full force and effect as of the first day of the second month following the election. The results of the election shall be certified by the election officials of such city and county not less than thirty days after the day of election. The cost of the election shall be paid as provided by sections 115.063 and 115.065, RSMo. In the event the proposition shall fail to receive a majority of the "YES" votes in either the city or the county, then the proposition shall not be resubmitted at any election held prior to the next general or primary in such city or county in the following year. Any such resubmission shall subsequently comply with the provisions of sections 184.350 to 184.384.

(4) If the symphony orchestra subdistrict shall be established, then its commissioners, or any person with whom its commissioners contract, may charge such prices from time to time for tickets for performances conducted under the auspices of the subdistrict or as they or such person deem proper; provided, however, that no fewer than fifty tickets for each such performance conducted at the principal concert hall of such subdistrict or such person shall be made available without charge for distribution to members of the general public and no fewer than fifty tickets shall be made available without charge for distribution to students in public and private elementary, secondary schools and colleges and universities in the metropolitan zoological park and museum district and all performances of the symphony orchestra

conducted at the principal concert hall of the symphony orchestra within the district shall be offered for broadcast live on a public or commercial AM or FM radio station located in and generally receivable in the district or on a public or commercial broadcast television station located in or generally receivable in the district. The symphony orchestra subdistrict shall institute a fully staffed educational music appreciation program to benefit all of the citizens of the taxing district at a nominal charge.

(5) Immediately following the effective date of the symphony orchestra subdistrict tax rate any person receiving funds from said tax rate shall become ineligible for program assistance funding from the Missouri state council on the arts.

5. The board of directors of any metropolitan zoological park and museum district, as established according to the provisions of sections 184.350 to 184.384, on behalf of the district may request the election officials of any city and county containing all or part of such district to submit the following described proposition to the qualified voters of such district at any general, primary or special election. Such election officials shall give legal notice at least sixty days prior to such general, primary or special election in at least two newspapers that such proposition shall be submitted at any general, primary or special election held for submission of the proposition. Such proposition shall be submitted to the voters in substantially the following form at such election:

Shall a Recreational and Amateur Sports Subdistrict be authorized and provided for by the Metropolitan Zoological Park and Museum District of the City of and the County of and such subdistrict be authorized to establish a tax rate not in excess of four cents on each \$100 of assessed valuation of taxable property within the district for a period not to exceed nine years?

☐ YES

☐ NO

In the event that a majority of all the voters voting on such proposition in such city and a majority of voters voting on such proposition in such county cast "YES" votes on the proposition, then the recreation and amateur sports subdistrict shall be deemed established and the tax rate, as established by the board for such subdistrict, shall be deemed in full force and effect as of the first day of the second month following the election for a period not to exceed nine years. The results of the election shall be certified by the election officials of such city and county, respectively, to the respective chief executive officers of such city and county not less than thirty days after the day of the election. The cost of the election shall be paid as provided by sections 115.063 and 115.065, RSMo. In the event the proposition shall fail to receive a majority of the "YES" votes in either the city or the county, then the proposition shall not be resubmitted at any election held prior to the next general or primary or special election in such city or county in the following year. Any such resubmission shall subsequently comply with the provisions of sections 184.350 to 184.384.

6. (1) The board of directors of any metropolitan zoological park and museum district, as established according to the provisions of sections 184.350 to 184.384, on behalf of the district may request the election officials of any city and county containing all or part of such district to submit the following described proposition to the qualified voters of such district at any general, primary or special election. Such election officials shall give legal notice at least sixty days prior to such general, primary or special election in at least two newspapers that such proposition shall be submitted at any general, primary or special election held for submission of the proposition.

(2) Such proposition shall be submitted to the voters in substantially the following form at such election:

Shall the Metropolitan Zoological Park and Museum District of the City of and County of be authorized to provide for an African American History Museum and Cultural Subdistrict and be authorized to provide the African American history museum and cultural subdistrict with a tax rate not in excess of four cents on each \$100 of assessed valuation of taxable property within the district?

☐ YES

☐ NO

(3) In the event that a majority of all the voters voting on such proposition in such city and a majority of voters voting on such proposition in such county cast "YES" votes on the proposition, then the African American history museum and cultural subdistrict shall be deemed established and the tax rate, as established by the board for such subdistrict, shall be deemed in full force and effect as of the first day of the second month following the election. The results of the election shall be certified by the election officials of such city and county, respectively, to the respective chief executive officers of such city and county not less than thirty days after the day of the election. The cost of the election shall be paid as provided by sections 115.063 and 115.065, RSMo. In the event the proposition shall fail to receive a majority of the "YES" votes in either the city or the county, then the proposition shall not be resubmitted at any election held prior to the next general or primary election in such city or county in the following year. Any such resubmission shall subsequently comply with the provisions of sections 184.350 to 184.384.

(4) If the African American history museum and cultural subdistrict shall be established, then its commissioners, or any person with whom its commissioners contract, may establish and charge fees for admission to the premises of the African American history museum and cultural subdistrict, or to the premises of any person with whom its commissioners contract, not to exceed one dollar for adults and fifty cents for children under sixteen years of age. Any increase in the fees shall be presented prior to implementation for approval or disapproval to the board of the metropolitan zoological park and museum district of which the African American history museum and cultural subdistrict is a member."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 210**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, with House Amendment Nos. 1, 4, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, 8, 9, House Amendment No. 10 as amended, House Amendment Nos. 11, 12, House Amendment No. 13 as amended, House Amendment Nos. 14, 15, 16, House Amendment No. 17 as amended, House Amendment No. 18 as amended, House Amendment Nos. 19, 20, 21, 22, 23, 24, 25, 26, House Substitute Amendment No. 1 for House Amendment No. 27, House Amendment Nos. 28, 29, and 30, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 210;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John E. Griesheimer
/s/ Larry Gene Taylor
/s/ Jason Crowell
/s/ Yvonne S. Wilson

FOR THE HOUSE:

/s/ Robert Johnson
/s/ Todd Smith
/s/ Wes Wagner
/s/ Trent Skaggs

RECESS

Representative Dempsey moved the House stand in recess until the Conference Committee Report on **HCS SS SCS SB 287, as amended**, has been distributed, and then stand adjourned until 9:00 a.m., Thursday, May 12, 2005.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 177**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 177 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 177;
2. That the Senate recede from its position on Senate Bill No. 177;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 177, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Charlie Shields
/s/ Charles Wheeler
/s/ Delbert Scott
/s/ Victor Callahan
/s/ Jon Dolan

FOR THE HOUSE:

/s/ Robert J. Behnen
/s/ Jay Wasson
/s/ Steven Tilley
/s/ Sam Page
/s/ Curt Dougherty

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 287**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, with House Amendment Nos. 1, 2, 3, House Amendment No.1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6 as amended, House Amendment Nos. 7, 8, 9, 10, 13, and 14, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 287;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 287, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Charlie Shields
/s/ Gary Nodler
/s/ Matt Bartle
/s/ Rita Heard Days
/s/ Harry Kennedy

FOR THE HOUSE:

/s/ Brian Baker
/s/ Brad Lager
/s/ Mike Cunningham
/s/ Michael G. Corcoran

ADJOURNMENT

Pursuant to the motion of Representative Dempsey, the House adjourned until 9:00 a.m., Thursday, May 12, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-second Day, Tuesday, May 10, 2005, Page 1677, Line 14, by deleting the numeral "119" and inserting in lieu thereof the numeral "130".

Page 1679, Line 8, by deleting the numeral "119" and inserting in lieu thereof the numeral "130".

AFFIDAVITS

I, State Representative Belinda Harris, District 110, hereby state and affirm that my vote as recorded on Page 1697 of the House Journal for Tuesday, May 10, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of May 2005.

/s/ Belinda Harris
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Martin Rucker, District 29, hereby state and affirm that my vote as recorded on the motion to suspend House Rule 3(c) in the House Journal for Wednesday, May 11, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of May 2005.

/s/ Martin T. Rucker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 11th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

ETHICS

Thursday, May 12, 2005, House Chamber side gallery upon morning recess.
Approval of additions to Caucuses.

FISCAL REVIEW

Thursday, May 12, 2005, 8:00 a.m. Hearing Room 4.
Any bills or matters referred to the Fiscal Review Committee.
Executive session. AMENDED

FISCAL REVIEW

Friday, May 13, 2005, 8:00 a.m. Hearing Room 4.

Any bills or matters referred to the Fiscal Review Committee.

Executive session. AMENDED

RULES

Thursday, May 12, 2005, House Chamber side gallery upon morning recess.

Executive session may follow.

Public hearing to be held on: SCR 17

HOUSE CALENDAR

SEVENTY-FOURTH DAY, THURSDAY, MAY 12, 2005

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 12 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491, Part I, Part II, Part III, pending - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach
- 26 HCS HB 842 & 831 - Brooks
- 27 HB 875 - Moore

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- 28 HCS#2 HB 131 - Schaaf
- 29 HB 925 - Salva
- 30 HCS HB 948 - Cooper (158)
- 31 HB 970 - Yates

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532 - Spreng
- 3 HB 952, E.C. - Icet
- 4 HCS HB 859 - Jetton

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 2, (3-02-05, Pages 470-471) - Sander
- 2 SS SCR 7, (4-28-05, Page 1340) - Portwood
- 3 SCR 13, HCA 1 (4-28-05, Page 1341, 5-05-05, Page 1561) - Schlottach
- 4 SCR 15, (4-27-05, Pages 1302-1303) - Stefanick
- 5 SCR 19, (5-09-05, Pages 1609-1610) - Cooper (120)
- 6 SCS SCR 6, (4-19-05, Pages 1136-1137) - Ervin
- 7 SCS SCR 8, (4-19-05, Pages 1137-1138) - Ervin

SENATE JOINT RESOLUTION FOR THIRD READING

SJR 19 - Jackson

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 222 - Sutherland
- 2 SB 480, HPA 1, pending - Kraus
- 3 SB 518 - Cooper (155)
- 4 SCS SB 6 - Lager
- 5 SB 122 - Wright (137)
- 6 SB 162 - Cooper (155)
- 7 SB 209 - Pearce
- 8 SCS SB 227 - Kuessner
- 9 HCS SCS SB 238 - Faith
- 10 SCS SB 247 - Bruns
- 11 SB 265 - Wood
- 12 SB 288 - Lager
- 13 SB 304 - Ervin
- 14 HCS SB 308 - Pollock
- 15 SB 317 - Smith (118)

- 16 SCS SB 354 - Schlottach
- 17 SB 357 - Johnson (47)
- 18 HCS SB 364, E.C. - Franz
- 19 HCS SCS SB 372 - Kuessner
- 20 SCS SB 374 - Zweifel
- 21 SB 396 - Sutherland
- 22 HCS SB 401 - Lembke
- 23 SB 418 - Lipke
- 24 HCS SB 422 - Yates
- 25 HCS SCS SB 423 - Lipke
- 26 HCS SCS SB 450, E.C. - Portwood
- 27 SCS SB 496 - Kelly
- 28 SCS SB 502, E.C. - Portwood
- 29 SB 521, as amended - Cooper (158)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 70 - Richard
- 2 SB 286 - Kingery
- 3 SB 479 - May
- 4 SB 526 - Cunningham (145)
- 5 SB 180 - Cooper (158)
- 6 HCS SCS SB 260 - Baker (123)
- 7 SB 268 - Byrd
- 8 SB 274 - Richard
- 9 SS SCS SB 346 - Ruestman
- 10 HCS SB 99 - Wood
- 11 SB 141 - Richard
- 12 HCS SB 173 - Hobbs
- 13 HCS SB 192 - Robinson
- 14 SB 232, HCA 1 - Bivins
- 15 SCS SB 310 - Dixon
- 16 HCS SCS SB 319, as amended with HA 2, pending - Roark
- 17 SB 361 - Nance
- 18 SB 380 - Cunningham (86)
- 19 SB 431, E.C. - Sutherland
- 20 SCS SBs 23 & 51 - Lipke
- 21 HCS SCS SB 161 - Chinn
- 22 HCS SCS SB 262 - Johnson (47)
- 23 SB 358 - Richard
- 24 HCS SS SCS SB 462, E.C. - Schad
- 25 HCS SCS SB 57 - Wilson (130)
- 26 HCS SB 194 - Kraus
- 27 HCS SCS SB 468 - Icet
- 28 HCS#2 SB 123 - Byrd
- 29 HCS SS SCS SB 144 - Byrd
- 30 HCS#2 SB 165 - Byrd

- 31 SB 257 - Baker (123)
- 32 HCS SB 320 - Baker (123)
- 33 HCS SB 405 - Byrd
- 34 HCS SCS SB 196 - Ervin
- 35 HCS#2 SS SB 362 - Sutherland
- 36 HCS SB 42 - Muschany
- 37 HCS SS SCS SB 2 - Cunningham (86)
- 38 HCS SS SCS SBs 37, 322, 78, 351 & 424, (Fiscal Review 5-11-05) - Stevenson
- 39 HCS SS SB 402, (Fiscal Review 5-11-05) - Johnson (47)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 47, E.C. - Brown (30)
- 2 SCS HB 707 - Cunningham (145)
- 3 SCS HCS HB 515 - Wood
- 4 SCS HB 638 - Cunningham (86)
- 5 SCS HB 685, E.C. - Franz
- 6 SCS HB 361 & HB 684 - Lipke
- 7 SCS HB 688 - Byrd
- 8 HCS HB 630, SPA 1 - Pollock
- 9 SCS HCS HB 362 - Lipke
- 10 SCS HB 456 - Kuessner
- 11 SCS HB 450 - Meiners
- 12 SCS HB 53 - Swinger
- 13 SCS HB 423 - Kuessner
- 14 SS SCS HCS HB 441, E.C. - Lipke
- 15 SCS HB 528 - Cunningham (145)
- 16 SCS HB 618 - Bearden
- 17 SCS HCS HB 297 - Pearce
- 18 SCS HCS HB 443 - Sander
- 19 SCS HCS#2 HB 232 - Portwood
- 20 SCS HB 229 - Portwood
- 21 HCS HB 525, SSA 1 for SA 1, SA 3 & SA 6 - May
- 22 HCS HB 576, SCA 1 - Flook
- 23 SS SCS HB 487, as amended, E.C. - Bruns
- 24 HB 114, SA 1 to SA 1, SA 1, as amended - Johnson (47)
- 25 SS HB 116, as amended, E.C. - Deeken
- 26 SS SCS HCS HB 437 - Jackson
- 27 HCS HB 824, SA 1 - Hobbs
- 28 SS SCS HCS HB 64, E.C. - Sutherland
- 29 SS SCS HCS HB 500 & 533 - Faith
- 30 HCS HB 388, SA 1 & SA 2 - Yates
- 31 SS HCS HB 334, as amended, E.C. - Franz
- 32 SS SCS HCS HB 518, 288, 418 & 635, as amended - St. Onge

- 33 SS SCS HCS HB 209, as amended - Cooper (120)
- 34 SS SCS HB 617 - Kelly
- 35 HCS HB 461, SA 1, SA 2, SA 3, SA 4, SA 6 - Sutherland
- 36 SS SCS HCS HB 186, as amended, E.C. - Emery

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SB 355, as amended
(request Senate recede/take up and pass bill), E.C. - Loehner
- 2 HCS SCS SBs 221, 250 & 256, as amended
(request House recede/grant conference) - St. Onge
- 3 SS HCS#2 HB 568, as amended
(request Senate recede/grant conference) - Stevenson

BILLS IN CONFERENCE

- 1 CCR HCS SS SCS SB 210, as amended - Johnson (47)
- 2 HCS SCS#2 SB 155, as amended - Kingery
- 3 SS SCS HCS HB 58, as amended (exceed differences), E.C. - Johnson (47)
- 4 CCR HCS SS SB 343, as amended - Richard
- 5 CCR SCS HB 678, as amended - Byrd
- 6 HCS SCS SB 233, as amended - Nance
- 7 CCR HCS SB 177 - Behnen
- 8 CCR HCS SS SCS SB 287, as amended - Baker (123)
- 9 SS SCS HCS HB 353, as amended, E.C. - Lipke
- 10 HCS SCS SB 500, as amended - Lager
- 11 SCS SB 390, HA 1 & HA 3 - Pratt

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton
- 4 HCR 28, (4-21-05, Pages 1196-1197) - Salva

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

- 1 HCR 14, (4-26-05, Pages 1277-1278) - Zweifel
- 2 HJR 23 - Emery
- 3 HB 846 - Page

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTY-FOURTH DAY, THURSDAY, MAY 12, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

“Yahweh is my strength, my shield,
my heart puts its trust in Him,
I have been helped, my flesh has bloomed again,
I thank Him with all my heart.”
(Psalm 28:7)

Give us the strength, O Lord, to complete the work of these last days of the 2005 Session of this body.

Many topics will come before us; some important issues must be decided.

By Your grace may we discern what is best for those most in need, what sustains the common good, what is demanded by Your truth.

We pray to You, who are our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: John Buckley, Katie Best, Ukan Lei, Trevor West, Alisha Bergfalk, Emily Buerge, Derek Hensley, Destiny Lakin, Danielle Reeves, Ana Vogt, Amy Yoder, Anna Yoder and Blake Andersen.

The Journal of the seventy-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3261 - Representative Nance
House Resolution No. 3262 - Representative Pollock
House Resolution No. 3263
through
House Resolution No. 3272 - Representative Kraus
House Resolution No. 3273
and
House Resolution No. 3274 - Representative Deeken
House Resolution No. 3275 - Representative Nance

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SBs 37, 322, 78, 351 & 424** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 402** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 530**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS#2 HB 568, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS HCS#2 HB 568, as amended**: Senators Nodler, Mayer, Bartle, Graham and Dougherty.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SB 95** and has taken up and passed **HCS SS SB 95**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 177** and has taken up and passed **CCS HCS SB 177**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 216** and has taken up and passed **HCS SB 216**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS#2 SCS SB 225, as amended**, and has taken up and passed **HCS SS#2 SCS SB 225, as amended**.

Emergency clause defeated.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 272** and has taken up and passed **HCS SCS SB 272**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 to SB 280** and has taken up and passed **SB 280, as amended by HA 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 287, as amended**, and has taken up and passed **CCS HCS SS SCS SB 287**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 355, as amended**, and has taken up and passed **HCS SCS SB 355, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS SB 390, as amended**: Senators Taylor, Dolan, Stouffer, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SBs 420 & 344, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 488** and has taken up and passed **SB 488, as amended by HCA 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 500, as amended**: Senators Gibbons, Champion, Scott, Days and Callahan.

Speaker Jetton assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS SB 390: Representatives Pratt, Kraus, Wright (159), Whorton and Daus

Speaker Pro Tem Bearden resumed the Chair.

THIRD READING OF SENATE BILLS - CONSENT

HCS SCS SB 238, relating to local sales tax collection, was taken up by Representative Faith.

On motion of Representative Faith, **HCS SCS SB 238** was read the third time and passed by the following vote:

AYES: 121

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Black	Bland	Bringer	Brown 30
Bruns	Burnett	Byrd	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Henke	Hobbs	Hughes	Hunter
Ice	Jackson	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	LeVota	Liese
Lipke	Lowe 44	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parson	Pearce	Phillips
Pollock	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Selby	Self	Shoemyer	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Mr Speaker				

NOES: 017

Bivins	Davis	Day	Donnelly	Harris 23
Harris 110	Lembke	Page	Portwood	Roorda
Salva	Schoemehl	Skaggs	Spreng	Whorton
Wildberger	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 024

Baker 25	Bowman	Boykins	Brooks	Brown 50
Casey	Chinn	El-Amin	Haywood	Hoskins
Hubbard	Johnson 47	Loehner	Low 39	Marsh
Meadows	Oxford	Parker	Rucker	Schneider
Vogt	Walton	Wright 137	Wright-Jones	

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SB 401, relating to the police retirement system of St. Louis, was taken up by Representative Lembke.

On motion of Representative Lembke, **HCS SB 401** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker 25	Bowman	Boykins	Brooks	Chinn
El-Amin	Haywood	Hoskins	Hubbard	Low 39
Marsh	Meadows	Parker	Rucker	Schneider
Walton	Wasson			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SB 450, relating to conveyances in St. Louis City and County, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS SCS SB 450** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hughes
Hunter	Iceet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker 25	Boykins	Chinn	Haywood	Hoskins
Hubbard	Low 39	Parker		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Henke	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 013

Baker 25	Bean	Boykins	Chinn	Haywood
Hobbs	Hoskins	Hubbard	Johnson 90	Low 39
Page	Parker	Rupp		

VACANCIES: 001

HCS SB 422, relating to expungement petitions, was taken up by Representative Yates.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 057

Aull	Baker 25	Bland	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fraser	George	Harris 23	Harris 110	Henke
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Oxford	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 010

Bowman	Boykins	Chinn	Flook	Haywood
Hoskins	Hubbard	Page	Rupp	Wasson

VACANCIES: 001

On motion of Representative Yates, **HCS SB 422** was read the third time and passed by the following vote:

AYES: 123

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Brown 30
Bruns	Burnett	Byrd	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Franz	George	Goodman	Guest	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Young	Zweifel	Mr Speaker		

NOES: 034

Baker 25	Bowman	Bringer	Brooks	Brown 50
Casey	Corcoran	Darrough	Daus	Donnelly
Flook	Fraser	Harris 23	Harris 110	Johnson 61
Johnson 90	Jolly	LeVota	Meadows	Oxford
Robinson	Roorda	Schoemehl	Selby	Shoemyer
Skaggs	Storch	Swinger	Villa	Walton
Whorton	Witte	Wright-Jones	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 005

Boykins	Chinn	Haywood	Hoskins	Hubbard
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SB 423, relating to a DNA profiling system, was taken up by Representative Lipke.

On motion of Representative Lipke, **HCS SCS SB 423** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chappelle-Nadal
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hughes
Hunter	Iceet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Boykins	Chinn	Cooper 120	Haywood	Hoskins
Hubbard				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SCS SB 372, relating to bicycle safety, was taken up by Representative Kuessner.

On motion of Representative Kuessner, **HCS SCS SB 372** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 001

Myers

ABSENT WITH LEAVE: 006

Boykins	Chinn	Emery	Haywood	Roorda
Viebrock				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton resumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SCS SB 2, relating to abortion regulations, was taken up by Representative Cunningham (86).

Representative Sander offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 1, Section A, Line 3, by inserting after said line the following:

“33.900. 1. As used in this section, the following terms shall mean:

(1) "Abortion services", include performing, inducing, or assisting with abortions as defined in section 188.015, RSMo, or encouraging patients to have abortions, or referring patients for abortions, not necessary to save the life of the mother, or development or dispensing of drugs, chemicals, or devices intended to be used to induce an abortion;

(2) "Health and social services program", any activity, program, or the furnishing of services for the purpose of preventing, supporting, alleviating, ameliorating, treating, curing, or healing any human condition, illness, injury, or disability, or to safeguard the health of people and ensure the prevention of any type of disease, infection, or injury, the promotion of specific lifestyle, hygiene, and sanitary conditions, or to assist persons to provide for themselves and others and to assist those experiencing any social or physical condition or disadvantage, and including the furnishing of any sort of physical, health, medical, or dental assessment, care, counseling, education, or treatment, whether to individuals or groups of individuals; except that, health and social services programs shall not include a research project subject to the provisions of section 196.1127, RSMo;

(3) "Independent affiliate", an entity that provides abortion services that is affiliated with an entity that does not provide abortion services, is separately incorporated from the entity that does not provide abortion services, does not receive or share a direct or indirect economic or marketing benefit from such affiliation with the entity that does not provide abortion services, and does not share any of the following with the entity that does not provide abortion services, regardless of whether reimbursement is made for any expenditures associated with sharing the following:

(a) The same name or similar names;

(b) Medical or nonmedical facilities, including but not limited to business offices, laboratories, treatment, consultation, examination, and waiting rooms;

(c) Expenses;

(d) Employee wages or salaries; or

(e) Equipment or supplies, including but not limited to computers, telephone systems, telecommunications equipment, and office and medical supplies;

(4) "Nondirective pregnancy counseling", counseling related to pregnancy that does not include abortion services, but may include providing patients with information regarding providers of health care and social service programs, or otherwise providing information required by federal law;

(5) "Public funds", shall include:

(a) Any funds received or controlled by the state of Missouri or any official, department, division, agency, or political subdivision thereof, including but not limited to funds derived from federal, state, or local taxes, gifts or grants from any source, settlements of any claims or causes of action, public or private, bond proceeds, federal grants or payments, or intergovernmental transfers;

(b) Any funds received or controlled by any official, department, division, or agency of state government or political subdivision thereof, or granted or distributed to any other person or entity, pursuant to appropriation by the general assembly or the governing body of any political subdivision of this state.

2. Public funds shall not be expended, paid, or granted to or on behalf of an existing or proposed health and social services program to directly or indirectly subsidize abortion services. To ensure that support is not lent in any manner to abortion services, and to ensure that an entity that provides abortion services does not receive a direct or indirect economic or marketing benefit from public funds expended in connection with any health and social services program:

(1) Public funds shall not be expended, paid, or granted in connection with any health and social services program to an entity that provides abortion services;

(2) An entity that does not provide abortion services may receive public funds in connection with any health and social services program if affiliated with an entity that provides abortion services, only if the affiliated entity that provides abortion services is an independent affiliate;

(3) An entity that provides counseling to pregnant persons in connection with a health and social services program receiving public funds shall only provide nondirective pregnancy counseling unless otherwise required pursuant to subsection 3 of this section;

(4) An entity that receives public funds in connection with any health and social services program shall not display or distribute marketing materials promoting abortion services;

(5) An entity that receives public funds in connection with any health and social services program shall maintain financial records that demonstrate strict compliance with this subsection;

(6) An independent audit of any entity that receives public funds in connection with any health and social services program shall be conducted at least once every three years, or sooner if required by any other provision of law or if directed by the governmental entity expending, paying, or granting the public funds, to ensure compliance with this subsection. If the recipient of the public funds is an affiliate of an entity that provides abortion services, an independent audit to ensure compliance with this subsection shall be conducted at least annually. The audit shall be conducted by:

(a) The state auditor; or

(b) An independent auditing firm retained by the governmental entity expending, paying, or granting the public funds; or

(c) An independent auditing firm approved by the governmental entity expending, paying, or granting the public funds and retained by the entity receiving public funds.

3. Notwithstanding the provisions of subsection 2 of this section, any entity:

(1) Eligible to receive reimbursements pursuant to Title XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) may be reimbursed for services it has performed, for which the payment to such entity is otherwise prohibited pursuant to subsection 2 of this section, if reimbursement for such services is required pursuant to the federal act and the refusal to reimburse for such required services will result in the withholding of federal Medicaid funds to the state of Missouri. No state Medicaid plan shall be adopted by the state or submitted to the federal government that includes services that violate the provisions of subsection 2 of this section and are not mandated for state Medicaid plans by the federal Medicaid law, Title XIX of the Social Security Act, as amended;

(2) Receiving federal funds pursuant to Title X of the federal Public Health Services Act may perform services which are required pursuant to the federal act, but otherwise prohibited pursuant to subsection 2 of this section if:

(a) Specifically directed by the United States Secretary of Health and Human Services to perform such services by written order directed to the organization; and

(b) Such order is final and no longer subject to appeal; and

(c) The refusal to perform such required services will result in the withholding of federal funds to said organization.

Federal statutory or regulatory provisions or guidelines of general application shall not constitute such written order as described herein.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Behnen assumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Boykins	Chinn	Haywood	Quinn
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VACANCIES: 001

On motion of Representative Sander, **House Amendment No. 1** was adopted by the following vote:

AYES: 113

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bringer	Brown 30	Bruns
Casey	Cooper 120	Cooper 155	Cooper 158	Cunningham 145

Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Franz	Goodman	Guest	Harris 110	Henke
Hobbs	Hunter	Ice	Jackson	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wagner	Wallace	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 040

Baker 25	Bland	Bowman	Brooks	Burnett
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Fares	Fraser	George	Harris 23
Hoskins	Hubbard	Hughes	Johnson 47	Johnson 61
Johnson 90	Jolly	Lampe	Low 39	Lowe 44
Oxford	Page	Skaggs	Spreng	Storch
Villa	Vogt	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 004

Brown 50	El-Amin	Meadows	Roorda
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ABSENT WITH LEAVE: 005

Bean	Boykins	Byrd	Chinn	Haywood
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VACANCIES: 001

Representative Phillips offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 1, Section A, Line 3, by inserting after said line the following:

“135.630. 1. As used in this section, the following terms shall mean:

(1) "Contribution", a donation of cash, stock, bonds or other marketable securities, or real property;

(2) "Director", the director of the department of social services;

(3) "Pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and

(d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost to its clients; and

(f) Which is exempt from income taxation pursuant to the United States Internal Revenue Code;

(4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. This section shall apply to all tax years ending on or after December 31, 2008.

135.631. Taxpayers shall only be permitted to redeem tax credits they can claim under section 135.630 if the director of revenue has reallocated other state tax credits to section 135.630. The director shall reallocate such other state tax credits if by law they were limited to a maximum amount during a specified time period and such amount has not been fully redeemed or is not reasonably expected to be fully redeemed."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brooks	Brown 30	Bruns
Byrd	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Kuessner	Lager	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wagner	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 059

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Rucker
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins	Chinn	Haywood
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VACANCIES: 001

On motion of Representative Phillips, **House Amendment No. 2** was adopted by the following vote:

AYES: 125

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown 30
Brown 50	Bruns	Byrd	Casey	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fisher
Flook	Franz	George	Goodman	Guest
Harris 110	Henke	Hobbs	Hunter	Icet
Jackson	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yaeger	Yates	Mr Speaker

NOES: 034

Baker 25	Bland	Bowman	Brooks	Burnett
Chappelle-Nadal	Curls	Darrough	Donnelly	Fares
Fraser	Harris 23	Hoskins	Hubbard	Hughes
Johnson 47	Johnson 61	Johnson 90	Jolly	Lampe
Low 39	Lowe 44	Oxford	Page	Skaggs
Storch	Vogt	Walton	Whorton	Wildberger
Witte	Wright-Jones	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins	Chinn	Haywood
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VACANCIES: 001

Representative Davis offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 1, Section A, Line 3, by inserting after all of said line the following:

"170.015. 1. Any course materials and instruction relating to human sexuality and sexually transmitted diseases shall be medically and factually accurate and shall:

(1) Present abstinence from sexual activity as the preferred choice of behavior in relation to all sexual activity for unmarried pupils because it is the only method that is one hundred percent effective in preventing pregnancy, sexually transmitted diseases and the emotional trauma associated with adolescent sexual activity, and advise students that teenage sexual activity places them at a higher risk of dropping out of school because of the consequences of sexually transmitted diseases and unplanned pregnancy;

(2) Stress that sexually transmitted diseases are serious, possible, health hazards of sexual activity. Pupils shall be provided with the latest medical information regarding exposure to human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), human papilloma virus, hepatitis and other sexually transmitted diseases;

(3) [Present] **Inform** students [with the latest] **that** medically [factual] **and personally relevant** information regarding [both the possible side effects and health benefits of all forms of contraception, including the success and failure rates for the prevention of pregnancy and sexually transmitted diseases] **contraception, abortion, and pregnancy may be available from their previously designated family practitioner under section 167.611, RSMo;**

(4) Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual activity and the consequences of adolescent pregnancy, as well as the advantages of adoption, including the adoption of special needs children, and the processes involved in making an adoption plan;

(5) Teach skills of conflict management, personal responsibility and positive self-esteem through discussion and role-playing at appropriate grade levels to emphasize that the pupil has the power to control personal behavior. Pupils shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations, such as respect for one's self and others. Pupils shall be taught not to make unwanted physical and verbal sexual advances or otherwise exploit another person. Pupils shall be taught to resist unwanted sexual advances and other negative peer pressure;

(6) Advise pupils of the laws pertaining to their financial responsibility to children born in and out of wedlock and advise pupils of the provisions of chapter 566, RSMo, pertaining to statutory rape.

2. Policies concerning referrals and parental notification regarding contraception shall be determined by local school boards, consistent with the provisions of section 167.611, RSMo.

3. A school district which provides human sexuality instruction may separate students according to gender for instructional purposes.

4. The board of a school district shall determine the specific content of the district's instruction in human sexuality, in accordance with subsections 1 to 3 of this section, and shall ensure that all instruction in human sexuality is appropriate to the age of the students receiving such instruction.

5. A school district shall notify the parent or legal guardian of each student enrolled in the district of:

(1) The basic content of the district's human sexuality instruction to be provided to the student; and

(2) The parent's right to remove the student from any part of the district's human sexuality instruction.

6. A school district shall make all curriculum materials used in the district's human sexuality instruction available for public inspection pursuant to chapter 610, RSMo, **as well as provide the names of the instructors and the instructors' affiliations to any organizations involved with human sexuality instruction, at least one week prior to the use of such materials in actual instruction or presentations by such instructors.**

7. No school district shall permit an entity to offer, sponsor, or furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases to its students if the entity provides abortion services, as defined in section 33.900, RSMo.

8. An entity that does not provide abortion services that is affiliated with an entity that provides abortion services may be permitted to offer, sponsor, or furnish course materials or instruction relating to human sexuality or sexually transmitted diseases, but only if the affiliated entity that provides abortion services is an independent affiliate, as defined in section 33.900, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Dempsey moved the previous question.

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Which motion was adopted by the following vote:

AYES: 096

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins	Chinn	Haywood	Rector
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VACANCIES: 001

On motion of Representative Davis, **House Amendment No. 3** was adopted by the following vote:

AYES: 078

Avery	Baker 123	Bearden	Bivins	Brown 30
Bruns	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Decken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fisher	Flook	Franz
Goodman	Hobbs	Hunter	Ice	Jackson
Kelly	Kingery	Kraus	Lager	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Myers	Nance	Nieves
Nolte	Parker	Phillips	Portwood	Pratt
Quinn	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Viebrock	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates		

NOES: 076

Aull	Baker 25	Behnen	Black	Bland
Bowman	Bringer	Brooks	Brown 50	Burnett
Byrd	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fares	Fraser	George	Guest	Harris 23
Harris 110	Henke	Hoskins	Hubbard	Hughes
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Parson	Pearce	Pollock	Robinson
Roorda	Rucker	Salva	Schneider	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Tilley	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Boykins	Chinn	Haywood	Muschany
Rector	Wright 137	Mr Speaker		

VACANCIES: 001

Representative Portwood offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2, Page 2, Section 188.015, Line 24, by inserting after all of said line the following:

"188.025. [Every] **No** abortion [performed at sixteen weeks gestational age or later] shall be performed **or induced except** in a **physician's office, outpatient clinic, ambulatory surgical center licensed pursuant to chapter 197, RSMo, or hospital licensed pursuant to chapter 197, RSMo.**"; and

Further amend said bill, Page 2, Section 188.075, Line 10, by inserting after all of said line the following:

"188.080. [Notwithstanding any other penalty provision in this chapter,] Any person who is not a [licensed] physician [as defined in section 188.015] who performs **or induces** or attempts to perform **or induce** an abortion on another [as defined in subdivision (1) of section 188.015,] is guilty of a class B felony, and, upon conviction, shall be punished as provided by law. Any physician performing **or inducing** an abortion who does not have [surgical] **clinical** privileges at a hospital which offers obstetrical or gynecological care **located within thirty miles of the location at which the abortion is performed or induced** shall be guilty of a class [B felony] **A misdemeanor**, and, upon conviction shall be punished as provided by law."; and

Further amend said bill, Page 3, Section 188.250, Line 23, by inserting after all of said line the following:

"197.200. As used in sections 197.200 to 197.240, unless the context clearly indicates otherwise, the following terms mean:

(1) "Ambulatory surgical center", any public or private establishment operated primarily for the purpose of performing surgical procedures or primarily for the purpose of performing childbirths **or any establishment operated for the purpose of performing or inducing any second or third-trimester abortions or five or more first-trimester abortions per month**, and which does not provide services or other accommodations for patients to stay more than twenty-three hours within the establishment, provided, however, that nothing in this definition shall be construed to include the offices of dentists currently licensed pursuant to chapter 332, RSMo;

(2) "Dentist", any person currently licensed to practice dentistry pursuant to chapter 332, RSMo;

(3) "Department", the department of health and senior services;

(4) "Governmental unit", any city, county or other political subdivision of this state, or any department, division, board or other agency of any political subdivision of this state;

(5) "Person", any individual, firm, partnership, corporation, company, or association and the legal successors thereof;

(6) "Physician", any person currently licensed to practice medicine pursuant to chapter 334, RSMo;

(7) "Podiatrist", any person currently licensed to practice podiatry pursuant to chapter 330, RSMo."; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Bearden resumed the Chair.

Representative Bringer offered **House Substitute Amendment No. 1 for House Amendment No. 4.**

Representative Flook raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 4** is not a true substitute amendment and goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Chinn	Haywood	Kelly
Schneider				

VACANCIES: 001

On motion of Representative Portwood, **House Amendment No. 4** was adopted by the following vote:

AYES: 123

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bringer	Brown 30	Brown 50
Bruns	Byrd	Casey	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fisher	Flook	Franz
George	Goodman	Guest	Harris 110	Henke
Hobbs	Hunter	Ice	Jackson	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schoemehl	Selby	Self	Shoemyer	Silvey
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yaeger	Yates	Mr Speaker		

NOES: 033

Baker 25	Bland	Bowman	Brooks	Burnett
Chappelle-Nadal	Curls	Darrough	Donnelly	El-Amin
Fares	Fraser	Harris 23	Hoskins	Hubbard
Hughes	Johnson 47	Johnson 61	Johnson 90	Jolly
Lampe	Low 39	Lowe 44	Oxford	Page
Skaggs	Storch	Walton	Whorton	Witte
Wright-Jones	Young	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Chinn	Haywood	Myers
Schneider				

VACANCIES: 001

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Boykins	Chinn	Haywood	Schneider
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VACANCIES: 001

REQUEST FOR ROLL CALL

Pursuant to Article III, Section 26, of the Missouri Constitution, we the undersigned five members demand a roll call vote on **HCS SS SCS SB 2, as amended**.

/s/ Jeff Harris (23)
 /s/ Rick Johnson (90)
 /s/ Harold R. Selby (105)
 /s/ Rachel L. Bringer (6)
 /s/ Kate Meiners (46)

On motion of Representative Cunningham (86), **HCS SS SCS SB 2, as amended**, was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hunter	Ice	Jackson	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	SchAAF	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 064

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fares	Fraser	George
Harris 23	Harris 110	Henke	Hoskins	Hubbard
Hughes	Johnson 47	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean Boykins Byrd Chinn Haywood

VACANCIES: 001

On motion of Representative Cunningham (86), **HCS SS SCS SB 2, as amended**, was read the third time and passed by the following vote:

AYES: 096

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Brown 50	Bruns	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fisher	Flook	Franz	Guest
Hobbs	Hunter	Ice	Jackson	Jones
Kelly	Kingery	Kratky	Kraus	Lager
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 061

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Burnett	Byrd	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fares	Fraser	George	Harris 23
Harris 110	Henke	Hoskins	Hubbard	Hughes
Johnson 47	Johnson 61	Johnson 90	Jolly	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean Boykins Chinn Goodman Haywood

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

BILL IN CONFERENCE

CCR HCS SS SCS SB 287, as amended, relating to education funding, was taken up by Representative Baker (123).

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 061

Aull	Baker 25	Bland	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 004

Bowman Boykins Chinn Curls

VACANCIES: 001

On motion of Representative Baker (123), **CCR HCS SS SCS SB 287, as amended**, was adopted by the following vote:

AYES: 094

Baker 123	Bean	Bearden	Behnen	Black
Brown 30	Bruns	Byrd	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Henke	Hobbs	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Pratt	Quinn	Rector
Richard	Roark	Robb	Rucker	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 065

Aull	Avery	Baker 25	Bivins	Bland
Bowman	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Hoskins	Hubbard
Hughes	Hunter	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Low 39	Lowe 44	Marsh	Meadows
Meiners	Oxford	Page	Portwood	Robinson
Roorda	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins Chinn Salva

VACANCIES: 001

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On motion of Representative Baker (123), **CCS HCS SS SCS SB 287** was truly agreed to and finally passed by the following vote:

AYES: 094

Baker 123	Bean	Bearden	Behnen	Black
Brown 30	Bruns	Byrd	Cooper 120	Cooper 155
Cooper 158	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Henke	Hobbs	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Rucker	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 065

Aull	Avery	Baker 25	Bivins	Bland
Bowman	Bringer	Brooks	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Hoskins	Hubbard
Hughes	Hunter	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Low 39	Lowe 44	Marsh	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Salva	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins	Chinn	Cunningham 145
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENT

SS HCS HB 334, as amended, relating to Missouri State Employees' Retirement, was taken up by Representative Smith (118).

Representative Smith (118) moved that the House refuse to adopt **SS HCS HB 334, as amended**, and request the Senate to recede from its position and take up and pass the bill.

Which motion was adopted.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Rachael Eylse Kohl.

HOUSE RESOLUTION

Representatives Deeken and Bruns offered House Resolution No. 3297.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3276 - Representative Munzlinger

House Resolution No. 3277

through

House Resolution No. 3281 - Representative Goodman

House Resolution No. 3282 - Representative Storch

House Resolution No. 3283

and

House Resolution No. 3284 - Representative Guest

House Resolution No. 3285

through

House Resolution No. 3287 - Representative Schaaf

House Resolution No. 3288 - Representative Swinger

House Resolution No. 3289 - Representative Behnen

House Resolution No. 3290

and

House Resolution No. 3291 - Representative Guest

House Resolution No. 3292 - Representative Parson

House Resolution No. 3293 - Representative Stevenson

House Resolution No. 3294 - Representative Meadows

House Resolution No. 3295 - Representative Bruns

House Resolution No. 3296 - Representative Harris (23)

House Resolution No. 3298 - Representatives Smith (14) and Parker
House Resolution No. 3299
and
House Resolution No. 3300 - Representative Nieves
House Resolution No. 3301 - Representative Cooper (158)
House Resolution No. 3302 - Representatives Silvey and Quinn
House Resolution No. 3303 - Representative Lager
House Resolution No. 3304 - Representative Goodman
House Resolution No. 3305
through
House Resolution No. 3307 - Representative Deeken
House Resolution No. 3308
and
House Resolution No. 3309 - Representative Lager

THIRD READING OF SENATE BILL

HCS SCS SB 262, relating to wine and liquor sales, was taken up by Representative Johnson (47).

HCS SCS SB 262 was laid over.

BILL CARRYING REQUEST MESSAGE

HCS SCS SBs 420 & 344, as amended, relating to judicial procedures and personnel, was taken up by Representative Byrd.

Representative Byrd moved that the House refuse to recede from its position on **HCS SCS SBs 420 & 344, as amended**, and grant the Senate a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SBs 420 & 344, as amended**: Senators Mayer, Koster, Crowell, Callahan and Days.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 500, as amended**, and has taken up and passed **CCS HCS SCS SB 500**.

Emergency clause adopted.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 297, relating to school accountability report cards, was taken up by Representative Pearce.

Representative Pearce moved that the House refuse to adopt **SCS HCS HB 297** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SCS SB 262, relating to wine and liquor sales, was again taken up by Representative Johnson (47).

Representative Wasson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 262, Section 311.332, Page 12, Line 40, by inserting after all of said line the following:

“5. Manufacturers, wholesalers, retailers and unlicensed persons may donate wine in the original package to a charitable or religious organization as defined in section 313.005, RSMo, or educational institution for the sole purpose of being auctioned by the organization or institution for fund-raising purposes, provided the auction takes place on a retail-licensed premises and all proceeds from the sale go into a fund of an organization or institution that is unrelated to any licensed retail operation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 1** was adopted.

Representative Meiners offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 262, Section 311.082, Page 10, Line 42, by inserting after all of said line the following:

“311.101. 1. Notwithstanding any other provision of law, it shall not be unlawful for the owner, operator, or employees of a restaurant bar, as defined in section 311.097, to allow patrons to carry out one or more bottles of unfinished wine, nor shall it be unlawful for patrons of such restaurant bar to carry out one or more bottles of unfinished wine under the following conditions:

- (1) The patron must have ordered a meal;**
- (2) The bottle or bottles of wine must have been at least partially consumed during the meal;**
- (3) The restaurant bar must provide a dated receipt for the unfinished bottle or bottles of wine; and**
- (4) The restaurant bar must securely reseal the bottle or bottles of wine and place them in one or more one-time-use, tamper-proof, transparent bags and securely seal the bags.**

2. Notwithstanding any other provision of law, no person who transports one or more bottles of unfinished wine which came from a restaurant bar under the circumstances described in subsection 1 of this section, in a vehicle, shall be considered to have violated any state law or local ordinance regarding open containers in vehicles so long as such person has in his or her possession the dated receipt from the restaurant

bar and the bottle or bottles of wine remain in the restaurant bar furnished, one-time-use, tamper-proof, transparent bags with the seals intact.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (14) offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 262, Section 311.101, Page 1, Line 18, by inserting after the word “**intact.**” on said line the following:

“3. Notwithstanding any other provision of law, it shall be lawful for the owner, operator, or employees of a winery to allow patrons to carry out one or more bottles of unfinished wine and it shall be lawful for patrons of such winery to carry out one or more bottles of unfinished wine under the following conditions:

- (1) The bottle or bottles of wine must have been at least partially consumed at the winery;**
- (2) The winery must provide a dated receipt for the unfinished bottle or bottles of wine; and**
- (3) The winery must securely reseal the bottle or bottles of wine and place them in one or more one-time-use, tamper-proof, transparent bags and securely seal the bags.**

4. Notwithstanding any other provision of law, no person who transports one or more bottles of unfinished wine which came from a winery under the circumstances described under subsection 3 of this section, shall be considered to have violated any state law or local ordinance regarding open containers in vehicles so long as such person has in his or her possession the dated receipt from the winery and the bottle or bottles of wine remain in the winery furnished, one-time-use, tamper-proof, transparent bags with the seals intact.

5. As used in this section "winery" means any establishment at which wine is made.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (14), **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Meiners, **House Amendment No. 2, as amended**, was adopted.

Representative Roorda offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 262, Page 11, Section 311.104, Line 18, by inserting after all of said line the following:

“311.191. 1. As used herein, the term "vintage wine" means bottled domestic white, rose or sparkling wine which is not less than five years old, domestic red wine which is not less than ten years old, or imported white, rose, red, sparkling or port wine which is not less than three years old.

2. Notwithstanding any other provisions of this chapter, any **municipality or** person legally owning, controlling or possessing a private collection of vintage wines in their original packages, including an executor, administrator, personal representative, guardian or conservator of an estate, sheriff, trustee in bankruptcy, or person appointed or authorized by a court to act upon or execute a court order or writ of execution with regard to the disposition of that vintage wine, is authorized to sell that vintage wine at auction on consignment through an auctioneer licensed herein. The auctioneer involved in such sale shall ensure that each bottle of vintage wine sold from a private collection has a permanently fixed label stating that the bottle was acquired from a private collection.

3. The supervisor of liquor control is hereby authorized to issue a license to conduct auctions of vintage wine to any person licensed as an auctioneer pursuant to chapter 343, RSMo, and regularly conducting business as an auctioneer at a fixed location in this state within a city in a county of the first classification with a charter form of government; provided, however, that no such license to auction vintage wine may be issued to any person, or any entity controlled in whole or in part by a person, who:

- (1) Has been convicted of a felony or of any offense under this chapter;
- (2) Either possesses a current license to sell intoxicating liquor at wholesale or retail, or previously possessed such a license which was revoked for cause; or
- (3) Has not been continuously in business in this state as an auctioneer for a period of ten years prior to making application for such license to auction vintage wine. The license to auction vintage wine shall be in addition to any license or permit requirements imposed by ordinance within the county or municipal jurisdictions in which the auctioneer conducts such business.

4. No auction of vintage wine may be conducted off the business premises of the auctioneer. No vintage wine sold at auction shall be consumed on the premises of the auctioneer, nor shall any original package of vintage wine be opened on such premises in the course of any such auction, except as provided herein. A license to conduct auctions of vintage wine shall be issued for a period of one year and shall authorize the auctioneer to conduct not more than six auctions of vintage wine during such year. The license shall be issued in such form and upon the completion of such application as may be required by the supervisor of liquor control. The fee for such license shall be five hundred dollars per year.

5. A **municipality** or person legally owning, controlling or possessing a private collection of vintage wines in their original packages may ship the vintage wine in such packages from any location within the state of Missouri to an auctioneer licensed pursuant to this act. Upon receipt of the vintage wine the auctioneer shall be responsible for the storage and warehousing thereof, for the labeling thereof pursuant to the requirements of subsection 2 of this section, for the delivery of the vintage wine to the purchasers at auction, and for the payment and transfer of any applicable state and local taxes in connection with the auction sale.

6. An auctioneer licensed to sell vintage wine pursuant to this section may hold vintage wine tastings on the premises where an auction of such vintage wine is to be conducted within the period of twenty-four hours immediately preceding the commencement of the auction.

7. An auctioneer licensed pursuant to this section shall be subject to all restrictions, regulations and provisions of this chapter governing the acquisition, storage and sale of intoxicating liquor for off-premises consumption which are not inconsistent with the provisions of this section.

8. An auctioneer who affixes a label to any bottle of vintage wine, as provided in subsection 2 of this section, without having determined through the exercise of reasonable diligence that the wine was acquired from a bona fide private collection, shall be guilty of a class C misdemeanor and, upon a finding of or plea of guilty with regard to any such misdemeanor, shall be subject to cancellation of the license issued pursuant to subsection 3 of this section.

311.193. 1. As used in this section, the term "vintage wine" means bottled domestic white, rose, or sparkling wine which is not less than five years old, domestic red wine which is not less than ten years old, or imported white, rose, red, sparkling, or port wine which is not less than three years old.

2. Notwithstanding any other provisions of this chapter, any municipality legally owning, controlling or possessing a private collection of vintage wines in their original packages, is authorized to sell such vintage wine through a sealed bid process. The municipality may set a minimum bid and may reserve the right to reject all bids. The municipality shall designate a municipal employee to sell vintage wine through a sealed bid process who shall ensure that each bottle of vintage wine sold from a private collection has a permanently fixed label stating that the bottle was acquired from a private collection.

3. The supervisor of liquor control is hereby authorized to issue a license to a designated municipal employee provided that no such license to sell vintage wine through a sealed bid process may be issued to any person, who:

- (1) Has been convicted of a felony or of any offense under this chapter;**
- (2) Either possesses a current license to sell intoxicating liquor at wholesale or retail, or previously possessed such a license which was revoked for cause.**

4. The license to sell vintage wine through a sealed bid process shall be in addition to any license or permit requirements imposed by ordinance within the county or municipality.

5. No vintage wine sold through the sealed bid process shall be consumed on the premises of the municipality, nor shall any original package of vintage wine be opened on such premises, except as provided herein. A license to sell vintage wine through a sealed bid process shall be issued for a period of one year and shall

authorize the designated municipal employee to sell such wine not more than six different times during that year. The license shall be issued in such form and upon completion of such application as may be required by the supervisor of liquor control. The fee for such license shall be fifty dollars per year which shall be paid by the municipality.

6. The municipality legally owning, controlling, or possessing a private collection of vintage wines in their original packages may ship the vintage wine in such packages from any location within the state of Missouri to the designated municipal employee licensed pursuant to this section. Upon receipt of the vintage wine the designated municipal employee shall be responsible for the storage and warehousing thereof, for the labeling thereof pursuant to the requirements of subsection 2 of this section, for the delivery of the vintage wine to the purchasers, and for the payment and transfer of any applicable state and local taxes in connection with the sale.

7. The designated municipal employee licensed to sell vintage wine pursuant to this section may hold vintage wine tastings on the premises where the vintage wine is stored within the period of twenty-four hours immediately preceding the first date on which sealed bids will be accepted.

8. The designated municipal employee licensed pursuant to this section shall be subject to all restrictions, regulations, and provisions of this chapter governing the acquisition, storage, and sale of intoxicating liquor for off-premises consumption which are not inconsistent with the provisions of this section.

9. A municipal employee designated by the municipality to sell vintage wine through a sealed bid process who affixes a label to any bottle of wine, as provided in subsection 2 of this section, without having determined through the exercise of reasonable diligence that the wine was acquired from a bona fide private collection, shall be guilty of a class C misdemeanor and, upon a finding of or plea of guilty with regard to any such misdemeanor, shall be subject to a cancellation of the license issued pursuant to subsection 3 of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Roorda, **House Amendment No. 3** was adopted.

Representative Pratt offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 262, Page 10, Section 311.082, Line 42, by inserting after all of said line the following:

"311.086. 1. As used in this section, the following terms mean:

(1) "Common area", any area designated as a common area in a development plan for the entertainment district approved by the governing body of the city, any area of a public right-of-way that is adjacent to or within the entertainment district when it is closed to vehicular traffic and any other area identified in the development plan where a physical barrier precludes motor vehicle traffic and limits pedestrian accessibility;

(2) "Entertainment district", any area located in a home rule city with more than four hundred thousand inhabitants and located in more than one county with a population of at least four thousand inhabitants that is located in the city's central business district which is the historic core locally known as the city's downtown area, that contains a combination of entertainment venues, bars, nightclubs, and restaurants, and that is designated a redevelopment area by the governing body of the city under the Missouri downtown and rural economic stimulus act, sections 99.915 to 99.1060, RSMo;

(3) "Portable bar", any bar, table kiosk, cart, or stand that is not a permanent fixture and can be moved from place to place;

(4) "Promotional association", an association incorporated in the State of Missouri which is organized or authorized by one or more property owners located within the entertainment district who own or otherwise control not less than one hundred thousand square feet of premises designed, constructed, and available for lease for bars, nightclubs, restaurants, and other entertainment venues for the purpose of organizing and promoting activities within the entertainment district. For purposes of determining ownership or control as set forth in this subdivision, the square footage of premises used for residential, office, or retail uses, (other than bars, nightclubs, restaurants, and other entertainment venues), parking facilities, and hotels within the entertainment district shall not be used in the calculation of square footage.

2. Notwithstanding any other provision of this chapter to the contrary, any person acting on behalf of or designated by a promotional association who possesses the qualifications required by this chapter, and who meets the requirements of and complies with the provisions of this chapter, may apply for and the supervisor of alcohol and tobacco control may issue an entertainment district special license to sell intoxicating liquor by the drink for retail for consumption dispensed from one or more portable bars within the common areas of the entertainment district until 3:00 a.m. on Mondays through Saturdays and from 9:00 a.m. until 12 midnight on Sundays.

3. An applicant granted an entertainment district special license under this section shall pay a license fee of three hundred dollars per year.

4. Notwithstanding any other provision of this chapter to the contrary, on such days and at such times designated by the promotional association, in its sole discretion, provided such times are during the hours a license is allowed under this chapter to sell alcoholic beverages, the promotional association may allow persons to leave licensed establishments located in portions of the entertainment district designated by the promotional association with an alcoholic beverage and enter upon and consume the alcoholic beverage within other licensed establishments and common areas located in portions of the entertainment district designated by the promotional association. No person shall take any alcoholic beverages outside the boundaries of the entertainment district or portions of the entertainment district as designated by the promotional association, in its sole discretion. At times when a person is allowed to consume alcoholic beverages dispensed from portable bars and in common areas of all or any portion of the entertainment district designated by the promotional association, the promotional association shall insure that minors can be easily distinguished from persons of legal age buying alcoholic beverages.

5. Every licensee within the entertainment district shall serve alcoholic beverages in containers that contain the licensee's trade name or logo or some other mark that is unique to that license.

6. The holder of an entertainment district special license is solely responsible for alcohol violations occurring at its portable bar and in any common area."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pratt, **House Amendment No. 4** was adopted.

Representative Byrd offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 262, Section 311.080, Page 8, Line 7, by inserting at the end of said line the following:

"Such consent shall not be granted until at least ten days' written notice has been provided to all owners of property within one hundred feet of the proposed licensed premises."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Byrd, **House Amendment No. 5** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow

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Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Daus	Donnelly	Dougherty
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins	Chinn	Cooper 155	Darrough
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VACANCIES: 001

On motion of Representative Johnson (47), **HCS SCS SB 262, as amended**, was adopted.

On motion of Representative Johnson (47), **HCS SCS SB 262, as amended**, was read the third time and passed by the following vote:

AYES: 114

Aull	Avery	Baker 25	Bearden	Behnen
Bland	Bowman	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chappelle-Nadal
Cooper 120	Cooper 158	Corcoran	Cunningham 86	Curls
Daus	Deeken	Dempsey	Denison	Dixon
Donnelly	Dougherty	Dusenberg	Fares	Fisher
Flook	Fraser	George	Goodman	Guest
Harris 23	Henke	Hobbs	Hoskins	Hubbard

Hughes	Hunter	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kingery	Kratky	Kraus
Lager	Lampe	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Nance	Nieves	Nolte	Oxford	Page
Parker	Pearce	Quinn	Richard	Robb
Robinson	Roorda	Ruestman	Rupp	Salva
Sander	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Shoemyer	Smith 14	Smith 118	Spreng
Stefanick	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Weter	Wildberger	Witte	Wright 137	Wright-Jones
Yaeger	Young	Zweifel	Mr Speaker	

NOES: 044

Baker 123	Bean	Bivins	Black	Bringer
Cunningham 145	Davis	Day	Dethrow	El-Amin
Emery	Ervin	Faith	Franz	Harris 110
Haywood	Ice	Jackson	Kelly	Kuessner
Lembke	Muschany	Myers	Parson	Phillips
Pollock	Portwood	Pratt	Rector	Roark
Rucker	Sater	Selby	Self	Silvey
Skaggs	Stevenson	Wells	Whorton	Wilson 119
Wilson 130	Wood	Wright 159	Yates	

PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins	Chinn	Cooper 155	Darrough
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS HCS#2 HB 568: Representatives Stevenson, Flook, Goodman, Meiners and Oxford

HCS SCS SBs 420 & 344: Representatives Byrd, Pratt, Stevenson, Johnson (61) and Johnson (90)

Speaker Pro Tem Bearden resumed the Chair.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 209, as amended, relating to a business license tax, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that **SS SCS HCS HB 209, as amended**, be adopted.

Representative Smith (118) made a substitute motion that the House refuse to adopt **SS SCS HCS HB 209, as amended**, request the Senate to recede, and failing to do so grant the House a conference.

Which motion was defeated by the following vote:

AYES: 071

Baker 25	Bean	Bland	Bowman	Brooks
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	Dougherty	Dusenberg	El-Amin
Fares	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Icet
Johnson 47	Johnson 61	Johnson 90	Kratky	Kraus
Kuessner	LeVota	Liese	Loehner	Low 39
Lowe 44	Meadows	Meiners	Moore	Nolte
Oxford	Page	Pearce	Roorda	Rucker
Salva	Sater	Schaaf	Schneider	Schoemehl
Selby	Self	Skaggs	Smith 118	Spreng
Storch	Swinger	Villa	Vogt	Wallace
Walsh	Walton	Whorton	Wildberger	Wilson 130
Witte	Wright 137	Wright-Jones	Yaeger	Yates
Zweifel				

NOES: 086

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bringer	Brown 30	Brown 50
Bruns	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hughes	Hunter
Jackson	Jolly	Jones	Kelly	Kingery
Lager	Lampe	Lembke	Lipke	Marsh
May	McGhee	Munzlinger	Muschany	Myers
Nance	Nieves	Parker	Parson	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Ruestman
Rupp	Sander	Schad	Schlottach	Shoemyer
Silvey	Smith 14	Stefanick	Stevenson	St. Onge
Sutherland	Tilley	Viebrock	Wagner	Wasson
Wells	Weter	Wood	Wright 159	Young
Mr Speaker				

PRESENT: 003

Byrd Threlkeld Wilson 119

ABSENT WITH LEAVE: 002

Boykins Chinn

VACANCIES: 001

On motion of Representative Cooper (120), **SS SCS HCS HB 209, as amended**, was adopted by the following vote:

AYES: 104

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hughes	Hunter	Ice	Jackson	Jolly
Jones	Kelly	Kingery	Kraus	Lampe
Lembke	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Munzlinger	Muschany	Myers	Nance	Nieves
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Shoemyer	Silvey	Smith 14
Spreng	Stefanick	Stevenson	St. Onge	Sutherland
Tilley	Viebrock	Wagner	Wallace	Walton
Wasson	Weter	Wildberger	Wilson 130	Wood
Wright 137	Wright 159	Young	Mr Speaker	

NOES: 054

Baker 25	Bean	Bowman	Chappelle-Nadal	Corcoran
Darrough	Daus	Davis	Donnelly	Dougherty
Dusenberg	El-Amin	Fares	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Johnson 47	Johnson 61	Johnson 90	Kratky
Kuessner	Lager	LeVota	Liese	Moore
Nolte	Oxford	Page	Robinson	Schneider
Schoemehl	Selby	Self	Skaggs	Smith 118
Storch	Swinger	Threlkeld	Villa	Vogt
Walsh	Wells	Whorton	Wilson 119	Witte
Wright-Jones	Yaeger	Yates	Zweifel	

PRESENT: 002

Brooks Byrd

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ABSENT WITH LEAVE: 002

Boykins Chinn

VACANCIES: 001

On motion of Representative Cooper (120), **SS SCS HCS HB 209, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 105

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Curls
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hughes	Hunter	Ice	Jackson	Jolly
Jones	Kelly	Kingery	Kraus	Lampe
Lembke	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Shoemyer	Silvey
Smith 14	Spreng	Stefanick	Stevenson	St. Onge
Sutherland	Tilley	Viebrock	Wagner	Wallace
Walton	Wasson	Weter	Wildberger	Wilson 130
Wood	Wright 137	Wright 159	Young	Mr Speaker

NOES: 052

Baker 25	Bean	Bowman	Chappelle-Nadal	Corcoran
Darrough	Daus	Davis	Donnelly	Dougherty
Dusenberg	El-Amin	Fares	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Johnson 47	Johnson 90	Kratky	Kuessner
Lager	LeVota	Liese	Nolte	Oxford
Page	Robinson	Schneider	Schoemehl	Selby
Self	Skaggs	Smith 118	Storch	Swinger
Threlkeld	Villa	Vogt	Walsh	Wells
Whorton	Wilson 119	Witte	Wright-Jones	Yaeger
Yates	Zweifel			

PRESENT: 003

Brooks Byrd Johnson 61

ABSENT WITH LEAVE: 002

Boykins Chinn

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

THIRD READING OF SENATE BILL

HCS SS SCS SB 462, relating to a sewer and water corporation receivership, was taken up by Representative Schad.

Representative Dempsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 462, Page 8, Section 393.146, Line 181, by inserting after all of said line the following:

"432.070. No county, city, town, village, school township, school district or other municipal corporation shall make any contract, unless the same shall be within the scope of its powers or be expressly authorized by law, nor unless such contract be made upon a consideration wholly to be performed or executed subsequent to the making of the contract; and such contract, including the consideration, shall be in writing and dated when made, and shall be subscribed by the parties thereto, or their agents authorized by law and duly appointed and authorized in writing. **Notwithstanding the foregoing, any home rule city with more than sixty thousand three hundred but fewer than sixty thousand four hundred inhabitants which after January 1, 2003, has committed or agreed in writing to provide sewer service or has in fact directly or indirectly provided such service to any homes within a subdivision shall give its customers two years prior written notice of its intent to discontinue service and during such two-year period shall continue to connect and provide sanitary sewer service to all homes constructed in such subdivision. In no event shall any sewer service connected prior to the expiration of such two-year period be discontinued.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dempsey, **House Amendment No. 1** was adopted.

Representative Cooper (158) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 462, Page 1, Section A, Line 2, by inserting after said line the following:

"8.255. 1. The director may authorize any agency of the state to establish standing contracts for the purpose of accomplishing construction, renovation, maintenance and repair projects not exceeding [twenty-five] **one hundred** thousand dollars. Such contracts shall be advertised and bid in the same manner as contracts for work which exceeds [twenty-five] **one hundred** thousand dollars, except that each contract shall allow for multiple projects, the cost of each of which does not exceed [twenty-five] **one hundred** thousand dollars. Each contract shall be of a stated duration and shall have a stated maximum total expenditure.

2. The director, with full documentation, shall have the authority to authorize any agency to contract for any design or construction, renovation, maintenance, or repair work which in his judgment can best be procured directly by such agency. The director shall establish, by rule, the procedures which the agencies must follow to procure contracts for design, construction, renovation, maintenance or repair work. Each agency which procures such contracts pursuant to a delegation shall file an annual report as required by rule. The director shall provide general supervision over the process. The director may establish procedures by which such contracts are to be procured, either generally or in accordance with each authorization.

3. The director, in his sole discretion, may with full documentation approve a recommendation from a project designer that a material, product or system within a specification for construction, renovation or repair work be designated by brand, trade name or individual mark, when it is determined to be in the best interest of the state. The

specification may include a preestablished price for purchase of the material, product or system where required by the director.

8.260. All appropriations made by the general assembly amounting to [twenty-five] **one hundred** thousand dollars or more for the construction, renovation, or repair of facilities shall be expended in the following manner:

(1) The agency requesting payment shall provide the commissioner of administration with satisfactory evidence that a bona fide contract, procured in accordance with all applicable procedures, exists for the work for which payment is requested;

(2) All requests for payment shall be approved by the architect or engineer registered to practice in the state of Missouri who designed the project or who has been assigned to oversee it;

(3) In order to guarantee completion of the contract, the agency or officer shall retain a portion of the contract value in accordance with the provisions of section 34.057, RSMo;

(4) A contractor may be paid for materials delivered to the site or to a storage facility approved by the director of the division of design and construction as having adequate safeguards against loss, theft or conversion.

In no case shall the amount contracted for exceed the amount appropriated by the general assembly for the purpose.

8.270. If the amount appropriated is less than [twenty-five] **one hundred** thousand dollars for constructing, renovating or for repairing, or for both building and repairing, no warrant shall be drawn on the state treasury payable out of the appropriation for any part thereof, until satisfactory evidence is furnished to the commissioner of administration that the work has been completed according to the contract, and not in excess of the amount appropriated therefor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (158), **House Amendment No. 2** was adopted.

Representative Bivins offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 462, Page 6, Section 393.146.1(1), Line 1, by inserting at the end of said line the following:

“and shall not include a sewer district established pursuant to article IV, section 30(a) of the Missouri Constitution, sewer districts established under the provisions of chapters 204, 249 or 250, RSMo, public water supply districts established under the provisions of chapter 247, RSMo, or municipalities that own and operate water or sewer systems;”.

On motion of Representative Bivins, **House Amendment No. 3** was adopted.

On motion of Representative Schad, **HCS SS SCS SB 462, as amended**, was adopted.

On motion of Representative Schad, **HCS SS SCS SB 462, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison

Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 61	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 003

Bowman	Johnson 90	Selby
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 005

Bean	Boykins	Byrd	Chinn	Johnson 47
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard

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Hughes	Hunter	Icet	Jackson	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 003

Bowman	Johnson 90	Selby
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PRESENT: 001

Brooks

ABSENT WITH LEAVE: 005

Bean	Boykins	Chinn	Johnson 47	Parker
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VACANCIES: 001

BILLS IN CONFERENCE

CCR HCS SS SB 343, as amended, relating to job development programs, was taken up by Representative Richard.

On motion of Representative Richard, **CCR HCS SS SB 343, as amended**, was adopted by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard

Hughes	Hunter	Ice	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Robb	Robinson	Roorda	Ruestman
Rupp	Salva	Sander	Sater	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 002

Bringer Whorton

PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Boykins	Chinn	Cooper 155	Johnson 47
Roark	Rucker	Schaaf	Schneider	Walsh
Wildberger				

VACANCIES: 001

On motion of Representative Richard, **CCS HCS SS SB 343** was truly agreed to and finally passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford

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Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Robb	Robinson	Roorda	Ruestman
Rupp	Salva	Sander	Sater	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 002

Bringer Whorton

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Boykins	Chinn	Johnson 47	Lembke
Roark	Rucker	Schaaf	Schneider	Wildberger

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HB 678, as amended, relating to corporations, was taken up by Representative Byrd.

On motion of Representative Byrd, **CCR SCS HB 678, as amended**, was adopted by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt

Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Boykins	Chinn	Cooper 120	Schaaf
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VACANCIES: 001

On motion of Representative Byrd, **CCS SCS HB 678** was read the third time and passed by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Iceet	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock

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Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 001

Selby

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins	Chinn	Schaaf
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR HCS SB 177, relating to professional registration, was taken up by Representative Behnen.

On motion of Representative Behnen, **CCR HCS SB 177** was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 47	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Johnson 61

ABSENT WITH LEAVE: 003

Boykins	Chinn	Shoemyer
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VACANCIES: 001

On motion of Representative Behnen, **CCS HCS SB 177** was truly agreed to and finally passed by the following vote:

AYES: 157

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

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PRESENT: 002

Brooks Johnson 61

ABSENT WITH LEAVE: 003

Boykins Chinn Hunter

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 47, relating to consolidated public library districts, was taken up by Representative Brown (30).

On motion of Representative Brown (30), **SCS HCS HB 47** was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Shoemyer	Silvey	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 004

El-Amin	Johnson 61	Selby	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 004

Boykins	Brooks	Chinn	Schoemehl
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VACANCIES: 001

On motion of Representative Brown (30), **SCS HCS HB 47** was truly agreed to and finally passed by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Self	Shoemyer	Silvey	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Mr Speaker		

NOES: 010

Donnelly	El-Amin	Harris 110	Johnson 61	Low 39
Meadows	Robinson	Selby	Skaggs	Zweifel

PRESENT: 000

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ABSENT WITH LEAVE: 004

Black Boykins Brooks Chinn

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 099

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Liese	Lipke	Marsh
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 059

Aull	Baker 25	Bowman	Bringer	Brooks
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Donnelly	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
Lembke	LeVota	Loehner	Low 39	Lowe 44
Meiners	Oxford	Quinn	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 004

Bland Boykins Chinn Denison

VACANCIES: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS#2 SB 155, as amended**, and has taken up and passed **CCS HCS SCS#2 SB 155**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to adopt the Conference Committee Report on **HCS SS SCS SB 210, as amended**, and requests the House grant further conference and that the conferees be allowed to exceed the differences.

BILLS CARRYING REQUEST MESSAGES

HCS SS SCS SB 210, as amended, relating to local government, was taken up by Representative Johnson (47).

Representative Johnson (47) moved that the House refuse to grant the Senate further conference on **HCS SS SCS SB 210, as amended**, and request the Senate to take up and pass **CCR HCS SS SCS SB 210, as amended**, and that the House conferees be allowed to exceed the differences.

Representative Johnson (90) made a substitute motion that the House grant the Senate further conference on **HCS SS SCS SB 210, as amended**, and bind the House conferees to the Senate position on Section 321.222.

The substitute motion was withdrawn.

Representative Johnson (90) made a substitute motion that the House grant the Senate further conference on **HCS SS SCS SB 210, as amended**, and bind the House conferees to the Senate position on Section 321.222 and allow the House conferees to exceed the differences.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard

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Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 003

Boykins	Chinn	George
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VACANCIES: 001

Representative Johnson (90) moved that the substitute motion be adopted.

Which motion was defeated by the following vote:

AYES: 063

Aull	Baker 25	Bivins	Bland	Brooks
Brown 50	Bruns	Burnett	Byrd	Casey
Corcoran	Curls	Darrough	Day	Deeken
Dougherty	Dusenberg	Flook	George	Harris 23
Harris 110	Hughes	Johnson 61	Johnson 90	Jolly
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Low 39	Meadows	Meiners	Moore
Nance	Oxford	Page	Parker	Portwood
Pratt	Robinson	Roorda	Rucker	Salva
Schaaf	Schoemehl	Selby	Spreng	Stefanick
Stevenson	Storch	Swinger	Threlkeld	Villa
Wallace	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Zweifel		

NOES: 091

Avery	Baker 123	Bean	Bearden	Behnen
Black	Bringer	Brown 30	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Daus	Davis

Dempsey	Denison	Dethrow	Dixon	El-Amin
Emery	Ervin	Faith	Fisher	Franz
Goodman	Guest	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Lager	Lipke	Loehner	Marsh	May
McGhee	Munzlinger	Muschany	Myers	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schad
Schlottach	Schneider	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	St. Onge	Sutherland
Tilley	Viebrock	Vogt	Wagner	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Wright-Jones	Yates	Young
Mr Speaker				

PRESENT: 003

Chappelle-Nadal	Fares	Fraser
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ABSENT WITH LEAVE: 005

Bowman	Boykins	Chinn	Donnelly	Lowe 44
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VACANCIES: 001

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

1893 *Journal of the House*

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 003

Boykins Chinn Marsh

VACANCIES: 001

Representative Johnson (47) again moved that the House refuse to grant the Senate a further conference on **HCS SS SCS SB 210, as amended**, and request the Senate to take up and pass **CCR HCS SS SCS SB 210, as amended**, and that the House conferees be allowed to exceed the differences.

Which motion was adopted.

Speaker Jetton resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 297** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HCS HB 297**: Senators Nodler, Gibbons, Clemens, Coleman and Wilson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SCS SB 233, as amended**, and has taken up and passed **CCS No. 2 HCS SCS SB 233**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 401** and has taken up and passed **HCS SB 401**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 297: Representatives Pearce, Hobbs, Wilson (130), Brooks and Lampe

Speaker Pro Tem Bearden resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 707, relating to banks and financial institutions, was taken up by Representative Cunningham (145).

On motion of Representative Cunningham (145), **SCS HB 707** was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

1895 *Journal of the House*

NOES: 002

Selby Whorton

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean Boykins Chinn Marsh Nolte

VACANCIES: 001

On motion of Representative Cunningham (145), **SCS HB 707** was truly agreed to and finally passed by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Boykins	Chinn	Chappelle-Nadal	Hubbard
Lembke	Marsh	Threlkeld		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton resumed the Chair.

SCS HCS HB 515, relating to tourism community enhancement, was taken up by Representative Wood.

On motion of Representative Wood, **SCS HCS HB 515** was adopted by the following vote:

AYES: 119

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Black	Bland	Brooks
Brown 50	Bruns	Byrd	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Curls
Darrough	Daus	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Faith	Fares	Fisher	Franz	Fraser
George	Goodman	Guest	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kuessner	Lager	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	Meadows	Meiners	Moore
Munzlinger	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Quinn	Rector	Richard	Robb	Robinson
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Self	Shoemyer	Smith 14	Smith 118	Spreng
Stevenson	St. Onge	Storch	Sutherland	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 137	Wright-Jones	Yaeger	Mr Speaker	

NOES: 037

Bivins	Bowman	Bringer	Brown 30	Burnett
Casey	Cunningham 86	Davis	Day	Donnelly
Dusenberg	Ervin	Flook	Harris 23	Harris 110
Henke	Johnson 90	Kraus	Lembke	McGhee
Muschany	Page	Portwood	Pratt	Roark
Roorda	Selby	Silvey	Skaggs	Stefanick
Swinger	Wildberger	Witte	Wright 159	Yates
Young	Zweifel			

1897 *Journal of the House*

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 005

Boykins	Chinn	Haywood	Johnson 47	Schneider
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VACANCIES: 001

On motion of Representative Wood, **SCS HCS HB 515** was truly agreed to and finally passed by the following vote:

AYES: 117

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Black	Bland	Brown 50
Bruns	Byrd	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Curls	Darrough
Daus	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	El-Amin	Emery	Faith
Fares	Fisher	Franz	Fraser	George
Goodman	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jackson	Jolly	Jones
Kelly	Kingery	Kratky	Kuessner	Lager
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	Meadows
Meiners	Moore	Munzlinger	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Quinn	Rector	Richard
Roark	Robb	Robinson	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Self	Shoemyer
Smith 14	Smith 118	Spreng	Stevenson	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 137	Wright-Jones
Yaeger	Mr Speaker			

NOES: 038

Bivins	Bowman	Bringer	Brown 30	Burnett
Casey	Cunningham 86	Davis	Day	Donnelly
Dusenberg	Ervin	Flook	Harris 23	Harris 110
Henke	Hughes	Johnson 61	Johnson 90	Kraus
Lembke	McGhee	Muschany	Page	Portwood
Pratt	Roorda	Selby	Silvey	Skaggs
Stefanick	Swinger	Wildberger	Witte	Wright 159
Yates	Young	Zweifel		

PRESENT: 002

Brooks	Oxford
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ABSENT WITH LEAVE: 005

Boykins Chinn Haywood Johnson 47 Schneider

VACANCIES: 001

Speaker Jetton declared the bill passed.

HCS HB 630, with Senate Perfecting Amendment No. 1, relating to not-for-profit corporations, was taken up by Representative Pollock.

On motion of Representative Pollock, the House concurred in **Senate Perfecting Amendment No. 1** by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

1899 *Journal of the House*

ABSENT WITH LEAVE: 009

Black	Boykins	Chinn	Denison	Haywood
Johnson 47	Schneider	Wagner	Walton	

VACANCIES: 001

On motion of Representative Pollock, **HCS HB 630, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Bland	Bowman	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Icet	Jackson	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schoemehl	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 002

Darrough	Selby
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PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Black	Boykins	Chinn	El-Amin
Haywood	Johnson 47	Marsh	Salva	Schneider
Wagner				

VACANCIES: 001

Speaker Jetton declared the bill passed.

SCS HB 685, relating to a conveyance in Howell County, was taken up by Representative Franz.

On motion of Representative Franz, **SCS HB 685** was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Black	Bland	Bringer	Brooks
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bean	Bivins	Bowman	Boykins	Chinn
Haywood	Johnson 47	Marsh	Parker	Schneider
Wagner				

VACANCIES: 001

On motion of Representative Franz, **SCS HB 685** was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Chinn	Dixon	Marsh
Wagner				

VACANCIES: 001

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 009

Bowman	Casey	Curls	Hughes	Johnson 90
Meadows	Selby	Spreng	Wildberger	

PRESENT: 004

Brooks	George	Henke	Roorda
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ABSENT WITH LEAVE: 006

Bean	Boykins	Chinn	Johnson 61	Marsh
Wagner				

VACANCIES: 001

SS SCS HCS HB 441, relating to controlled substances, was taken up by Representative Lipke.

1903 *Journal of the House*

On motion of Representative Lipke, **SS SCS HCS HB 441** was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bean	Boykins	Chinn	George	Johnson 47
Marsh	Roark	Schneider		

VACANCIES: 001

On motion of Representative Lipke, **SS SCS HCS HB 441** was truly agreed to and finally passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett

Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hunter	Icet	Jackson	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 003

Brooks	Hughes	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Boykins	Chinn	George	Johnson 47
Marsh	Schneider			

VACANCIES: 001

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser

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Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hunter
Ice	Jackson	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 007

Bowman	Brooks	George	Hughes	Johnson 61
Lowe 44	Spreng			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bean	Boykins	Chinn	Johnson 47	Marsh
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VACANCIES: 001

SCS HB 618, relating to State Highway Patrol personnel, was taken up by Representative Bearden.

On motion of Representative Bearden, **SCS HB 618** was adopted by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager

Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Boykins	Chinn	Goodman	Johnson 47
Lowe 44	Marsh	Schaaf	Vogt	Wildberger

VACANCIES: 001

On motion of Representative Bearden, **SCS HB 618** was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider

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Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Bruns	Chinn	Johnson 47
Marsh				

VACANCIES: 001

Speaker Jetton declared the bill passed.

Representative Behnen assumed the Chair.

HCS HB 576, with Senate Committee Amendment No. 1, relating to small business, was taken up by Representative Flook.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wood	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 061

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 007

Bean	Boykins	Chinn	Dixon	Haywood
Marsh	Sander			

VACANCIES: 001

On motion of Representative Flook, the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Swinger	Threlkeld

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Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bean	Boykins	Bruns	Chinn	Cooper 155
Darrough	Dixon	Haywood	Marsh	Pearce
Schaaf	Sutherland			

VACANCIES: 001

On motion of Representative Flook, **HCS HB 576, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Chinn	Marsh	Pearce
Wildberger				

VACANCIES: 001

Representative Behnen declared the bill passed.

SS SCS HB 487, as amended, relating to emergency vehicles, was taken up by Representative Brunns.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Brunns	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 062

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton

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Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 006

Bean	Boykins	Chinn	Marsh	Parker
Wallace				

VACANCIES: 001

On motion of Representative Bruns, **SS SCS HB 487, as amended**, was adopted by the following vote:

AYES: 137

Avery	Baker 25	Baker 123	Bearden	Behnen
Bivins	Black	Bland	Bowman	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lembke	LeVota	Liese
Lipke	Loehner	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yates	Young
Zweifel	Mr Speaker			

NOES: 019

Aull	Brooks	Casey	Donnelly	Harris 23
Harris 110	Hughes	Johnson 61	Johnson 90	Jolly
Lampe	Low 39	Lowe 44	Oxford	Spreng
Storch	Walsh	Whorton	Yaeger	

PRESENT: 001

Rucker

ABSENT WITH LEAVE: 005

Bean Boykins Chinn Marsh Wallace

VACANCIES: 001

On motion of Representative Bruns, **SS SCS HB 487, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Henke
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lembke
LeVota	Liese	Lipke	Loehner	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yates	Young
Mr Speaker				

NOES: 022

Brooks	Casey	Darrough	Donnelly	Harris 23
Harris 110	Haywood	Hughes	Johnson 61	Johnson 90
Jolly	Lampe	Low 39	Lowe 44	Oxford
Schoemehl	Spreng	Storch	Walsh	Whorton
Yaeger	Zweifel			

PRESENT: 001

Rucker

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ABSENT WITH LEAVE: 008

Bean	Boykins	Chinn	Denison	El-Amin
Marsh	Parker	Wallace		

VACANCIES: 001

Representative Behnen declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Bruns	Burnett	Byrd
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
George	Goodman	Guest	Henke	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lembke	Liese
Lipke	Loehner	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yates	Young	Mr Speaker	

NOES: 026

Brooks	Brown 50	Casey	Chappelle-Nadal	Darrough
Donnelly	Fraser	Harris 23	Harris 110	Hughes
Johnson 61	Johnson 90	Jolly	Lampe	LeVota
Low 39	Lowe 44	Meiners	Oxford	Selby
Spreng	Storch	Walsh	Whorton	Yaeger
Zweifel				

PRESENT: 001

Rucker

ABSENT WITH LEAVE: 006

Bean	Boykins	Chinn	Haywood	Marsh
Wallace				

VACANCIES: 001

HB 114, with Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended, relating to Kansas City transportation sales tax, was taken up by Representative Johnson (47).

On motion of Representative Johnson (47), the House concurred in **Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended**, by the following vote:

AYES: 134

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 50	Bruns	Burnett
Byrd	Casey	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Curls	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	El-Amin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Haywood	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Pollock	Pratt	Quinn
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Skaggs	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 021

Brown 30	Chappelle-Nadal	Corcoran	Cunningham 86	Davis
Dusenberg	Emery	Ervin	Harris 23	Harris 110
Henke	Johnson 90	Lembke	Phillips	Portwood
Rector	Roark	Selby	Silvey	Whorton
Wildberger				

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PRESENT: 001

Spreng

ABSENT WITH LEAVE: 006

Bean	Boykins	Chinn	Darrough	Marsh
Rupp				

VACANCIES: 001

On motion of Representative Johnson (47), **HB 114, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 50	Bruns	Burnett
Byrd	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	El-Amin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Parker	Parson
Pearce	Pollock	Portwood	Pratt	Quinn
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yates	Young	Zweifel	Mr Speaker	

NOES: 016

Brown 30	Chappelle-Nadal	Davis	Dusenberg	Emery
Ervin	Harris 23	Harris 110	Johnson 90	Page
Phillips	Rector	Roark	Selby	Silvey
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Boykins	Chinn	Marsh	Rupp
Wildberger	Yaeger			

VACANCIES: 001

Representative Behnen declared the bill passed.

SS SCS HCS HB 437, relating to the Missouri Military Family Relief Fund, was taken up by Representative Jackson.

On motion of Representative Jackson, **SS SCS HCS HB 437** was adopted by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

1917 *Journal of the House*

ABSENT WITH LEAVE: 008

Bean	Boykins	Chinn	Johnson 47	Marsh
Myers	Rupp	Schneider		

VACANCIES: 001

On motion of Representative Jackson, **SS SCS HCS HB 437** was truly agreed to and finally passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bean	Boykins	Bruns	Chinn	Johnson 47
Johnson 61	Marsh	Rupp	Schneider	Walsh

VACANCIES: 001

Representative Behnen declared the bill passed.

Representative Kratky assumed the Chair.

SS SCS HCS HB 64, relating to a sales tax holiday, was taken up by Representative Sutherland.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Haywood	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Oxford	Page	Robinson	Roorda
Rucker	Salva	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 001

Dougherty

1919 *Journal of the House*

ABSENT WITH LEAVE: 007

Bean	Boykins	Chinn	Lembke	Marsh
Schneider	Wagner			

VACANCIES: 001

On motion of Representative Sutherland, **SS SCS HCS HB 64** was adopted by the following vote:

AYES: 140

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Fraser	George	Goodman
Harris 23	Haywood	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schlottach	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Vogt	Wagner	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yates	Young	Zweifel	Mr Speaker

NOES: 018

Casey	Daus	Dethrow	Franz	Guest
Harris 110	Henke	Johnson 47	Kuessner	Myers
Roorda	Schad	Schneider	Swinger	Villa
Wallace	Whorton	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Boykins	Chinn	Marsh
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VACANCIES: 001

On motion of Representative Sutherland, **SS SCS HCS HB 64** was truly agreed to and finally passed by the following vote:

AYES: 140

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Fraser	George	Goodman
Harris 23	Haywood	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schlottach	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Vogt	Wagner	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yates	Young	Zweifel	Mr Speaker

NOES: 018

Casey	Daus	Dethrow	Franz	Guest
Harris 110	Henke	Kuessner	May	Myers
Roorda	Schad	Schneider	Swinger	Villa
Wallace	Whorton	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean	Boykins	Chinn	Marsh
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VACANCIES: 001

Representative Kratky declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Dempsey	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Fraser	George	Goodman	Harris 23
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schlottach	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Threlkeld	Tilley	Viebrock
Vogt	Wagner	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yates	Young	Zweifel	Mr Speaker	

NOES: 017

Casey	Darrough	Daus	Dethrow	Franz
Guest	Harris 110	Haywood	Kuessner	Meadows
Roorda	Schad	Swinger	Villa	Wallace
Whorton	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Chinn	Johnson 47	Marsh
Schneider				

VACANCIES: 001

HCS HB 461, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 6, relating to assessment of business personal property, was taken up by Representative Sutherland.

On motion of Representative Sutherland, the House concurred in **Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 6** by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrrough	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Witte	Wood
Wright 137	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 005

Daus	Davis	Roark	Schneider	Wright 159
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PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 004

Bean	Boykins	Chinn	Marsh
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VACANCIES: 001

1923 *Journal of the House*

On motion of Representative Sutherland, **HCS HB 461, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Robb	Robinson	Roorda	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 005

Daus	Davis	Roark	Schneider	Whorton
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PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 007

Bean	Boykins	Chinn	Marsh	Meadows
Rucker	Wildberger			

VACANCIES: 001

Representative Kratky declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

SS SCS HCS HBs 518, 288, 418 & 635, as amended, relating to highway safety, was taken up by Representative St. Onge.

SS SCS HCS HBs 518, 288, 418 & 635, as amended, was laid over.

SCS HB 638, relating to urban public library districts, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **SCS HB 638** was adopted by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brooks	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Smith 14	Smith 118	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 015

Chappelle-Nadal	Daus	Donnelly	George	Henke
Johnson 61	Lowe 44	Selby	Skaggs	Spreng
Swinger	Wagner	Walsh	Witte	Young

PRESENT: 000

1925 *Journal of the House*

ABSENT WITH LEAVE: 008

Bean	Bowman	Boykins	Chinn	Marsh
Myers	Stevenson	Wildberger		

VACANCIES: 001

On motion of Representative Cunningham (86), **SCS HB 638** was truly agreed to and finally passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Harris 110	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Smith 14	Smith 118	Stefanick
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 017

Chappelle-Nadal	Daus	Donnelly	George	Haywood
Henke	Johnson 61	Lowe 44	Selby	Skaggs
Spreng	Swinger	Wagner	Wallace	Walsh
Witte	Young			

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Boykins	Chinn	Marsh	Myers
Stevenson	Wildberger			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS HB 525, with Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 3 and Senate Amendment No. 6, relating to ethics, was taken up by Representative May.

On motion of Representative May, the House concurred in **Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 3 and Senate Amendment No. 6** by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hoskins
Hubbard	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	May
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 002

Haywood Whorton

PRESENT: 000

1927 *Journal of the House*

ABSENT WITH LEAVE: 007

Bean	Boykins	Chinn	Marsh	Meiners
Myers	Young			

VACANCIES: 001

On motion of Representative May, **HCS HB 525, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Bringer	Brooks	Brown 30	Brown 50	Bruns
Burnett	Byrd	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 007

Bean	Boykins	Chinn	Marsh	Meiners
Myers	Young			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

COMMITTEE REPORT

Committee on Rules, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 15**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 196**, entitled:

An act to repeal sections 556.036 and 569.040, RSMo, and to enact in lieu thereof two new sections relating to the statute of limitation for certain crimes, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 276**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 678, as amended**, and has taken up and passed **CCS SCS HB 678**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HB 972**, entitled:

An act to repeal sections 311.310, 565.024, 566.083, 568.050, 577.001, and 577.023, RSMo, and to enact in lieu thereof thirteen new sections relating to crime, with penalty provisions and an emergency clause for a certain section.

With Senate Amendment No. 3.

Senate Amendment No. 3

AMEND Senate Substitute No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 972, Page 6, Section 67.2552, Lines 6-10, by striking all of said lines from the bill; and

Further amend said page, Lines 19-22, by striking all of said lines from the bill; and

By renumbering the subsections accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 210, as amended**, and has taken up and passed **CCS HCS SS SCS SB 210**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 262, as amended**, and has taken up and passed **HCS SCS SB 262, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 372** and has taken up and passed **HCS SCS SB 372**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS SB 390, as amended**, and has taken up and passed **CCS SCS SB 390**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SBs 420 & 344, as amended**, and has taken up and passed **CCS HCS SCS SBs 420 & 344**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 422** and has taken up and passed **HCS SB 422**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 423** and has taken up and passed **HCS SCS SB 423**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 450** and has taken up and passed **HCS SCS SB 450**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 462, as amended**, and has taken up and passed **HCS SS SCS SB 462, as amended**.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE BILL NO. 155**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 155 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 155;
2. That the Senate recede from its position on Senate Committee Substitute No. 2 for Senate Bill No. 155;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 155, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Robert N. Mayer
/s/ Gary Nodler
/s/ Kevin Engler
/s/ Rita Heard Days
/s/ Maida J. Coleman

FOR THE HOUSE:

/s/ Gayle Kingery
/s/ Bryan Pratt
/s/ Therese Sander
/s/ Margaret Donnelly
/s/ Rick Johnson

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 233**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 233 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 233;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 233;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 233, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Jon Dolan
/s/ Chris Koster
/s/ Frank A. Barnitz
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Bob Nance
/s/ Rex Rector
/s/ Neal St. Onge
/s/ Joe Aull
/s/ Terry Swinger

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 390**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 390, with House Amendment No. 1 and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 390, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 390;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 390, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Larry Gene Taylor
/s/ Jon Dolan
/s/ Bill Stouffer
/s/ Victor Callahan
/s/ Timothy P. Green

FOR THE HOUSE:

/s/ Bryan Pratt
/s/ Will Kraus
/s/ Billy Pat Wright
/s/ Jim Whorton
/s/ Mike Daus

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NOS. 420 & 344**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 8, 9, 10 and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill Nos. 420 & 344;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 420 & 344, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Robert Mayer
/s/ Chris Koster
/s/ Jason Crowell
/s/ Victor Callahan
/s/ Rita Heard Days

FOR THE HOUSE:

/s/ Richard Byrd
/s/ Bryan Pratt
/s/ Bryan P. Stevenson
/s/ Connie Johnson
/s/ Rick Johnson

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 500**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 500, with House Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 500, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 500;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 500, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael Gibbons
/s/ Norma Champion
/s/ Delbert Scott
/s/ Rita Heard Days
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Brad Lager
/s/ Brad Roark
/s/ Scott Rupp
/s/ Margaret Donnelly
/s/ John L. Bowman, Sr.

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 58**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, with Senate Amendment Nos. 1, 3, 4, Senate Amendment No. 5 as amended, Senate Amendment Nos. 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, and 39, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 58;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 58, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Robert Johnson
/s/ Todd Smith
/s/ Wes Wagner
/s/ Trent Skaggs

FOR THE SENATE:

/s/ John E. Griesheimer
/s/ Larry Gene Taylor
/s/ Jason Crowell
/s/ Yvonne S. Wilson

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 297**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 297 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 297;

2. That the House recede from its position on House Committee Substitute for House Bill No. 297;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 297, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ David Pearce
/s/ Kevin Wilson
/s/ Steve Hobbs
/s/ Sara Lampe
/s/ Sharon Sanders Brooks

FOR THE SENATE:

/s/ Gary Nodler
/s/ Michael Gibbons
/s/ Dan Clemens
/s/ Maida Coleman

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 353**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, with Senate Amendment Nos. 1, 2, 3, 5, Senate Amendment No. 6 as amended, Senate Amendment Nos. 7, 8, 9, 10, 12, 13, 14, 16, 17, and 18, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 353;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Scott A. Lipke
/s/ Kenny Jones
/s/ Mark Bruns
/s/ John Burnett
/s/ Cathy Jolly

FOR THE SENATE:

/s/ Matt Bartle
/s/ John Loudon
/s/ Delbert Scott
/s/ Chuck Graham
/s/ Rita Heard Days

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
HOUSE BILL NO. 568**

The Conference Committee appointed on Senate Substitute for House Committee Substitute No. 2 for House Bill No. 568, with Senate Amendment Nos. 2, 5, 10, and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute No. 2 for House Bill No. 568, as amended;
2. That the House recede from its position on House Committee Substitute No. 2 for House Bill No. 568;
3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute No. 2 for House Bill No. 568, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Bryan P. Stevenson
/s/ Jack A.L. Goodman
/s/ Tim Flook
/s/ Kate Meiners
/s/ Jeanette Mott Oxford

FOR THE SENATE:

/s/ Gary Nodler
/s/ Robert Mayer
/s/ Matt Bartle
/s/ Chuck Graham
/s/ Pat Dougherty

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 9:00 a.m., Friday, May 13, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Michael Brown, District 50, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2 in the House Journal for Thursday, May 12, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2005.

/s/ Michael Brown
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Curt Dougherty, District 53, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2 in the House Journal for Thursday, May 12, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2005.

/s/ Curt Dougherty
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Fred Kratky, District 65, hereby state and affirm that my vote as recorded on motion to third read and pass House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2 in the House Journal for Thursday, May 12, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2005.

/s/ Fred Kratky
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Leonard Hughes, District 42, hereby state and affirm that my vote as recorded on the motion to truly agree to and finally pass Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 441 in the House Journal for Thursday, May 12, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

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IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2005.

/s/ Leonard "Jonas" Hughes, IV
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sue Schoemehl, District 100, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 2 of the House Journal for Thursday, May 12, 2005 showing that I voted aye was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 12th day of May 2005.

/s/ Sue Schoemehl
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 12th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

COMMITTEE MEETINGS

FISCAL REVIEW

Friday, May 13, 2005, 8:00 a.m. Hearing Room 4.

Any bills or matters referred to the Fiscal Review Committee.

Executive session. AMENDED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, May 25, 2005, 11:00 a.m. Hearing Room 1.

Quarterly business meeting.

Selection of Oversight Division's interim projects.

HOUSE CALENDAR

SEVENTY-FIFTH DAY, FRIDAY, MAY 13, 2005

HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 12 - Bearden

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 628 - Byrd
- 2 HCS HB 255 - Cunningham (86)
- 3 HCS HB 387 - Byrd
- 4 HB 572 - Stevenson
- 5 HCS HB 853 - Loehner
- 6 HB 291, as amended - Cooper (155)
- 7 HCS HB 272 - Pratt
- 8 HB 721 - Flook
- 9 HCS HB 671 - Sutherland
- 10 HCS HB 804 - Smith (118)
- 11 HB 679 - Kraus
- 12 HCS HB 742 - Bearden
- 13 HCS HB 854 - Richard
- 14 HCS HB 924 - Wallace
- 15 HCS HB 231 - Portwood
- 16 HCS#2 HB 586 - Sander
- 17 HCS HB 591, 210, 377, 760 & 777, HA 1 to HA 1, and HA 1, pending - Schlottach
- 18 HB 784 - Meadows
- 19 HB 633 - Lipke
- 20 HCS HB 430 - Shoemyer
- 21 HCS HB 490 - Daus
- 22 HCS HB 491, Part I, Part II, Part III, pending - McGhee
- 23 HCS HB 549 - Fraser
- 24 HCS HB 552 - Ervin
- 25 HCS HB 660 - Schlottach
- 26 HCS HB 842 & 831 - Brooks
- 27 HB 875 - Moore
- 28 HCS#2 HB 131 - Schaaf
- 29 HB 925 - Salva
- 30 HCS HB 948 - Cooper (158)
- 31 HB 970 - Yates

HOUSE BILLS FOR THIRD READING

- 1 HB 375 - Nance
- 2 HCS HB 532 - Spreng
- 3 HB 952, E.C. - Icet
- 4 HCS HB 859 - Jetton

HOUSE BILL FOR THIRD READING - CONSENT

HCS HB 508, E.C. - Pratt

SENATE CONCURRENT RESOLUTIONS

- 1 SCR 2, (3-02-05, Pages 470-471) - Sander
- 2 SS SCR 7, (4-28-05, Page 1340) - Portwood
- 3 SCR 13, HCA 1 (4-28-05, Page 1341, 5-05-05, Page 1561) - Schlottach
- 4 SCR 15, (4-27-05, Pages 1302-1303) - Stefanick
- 5 SCR 19, (5-09-05, Pages 1609-1610) - Cooper (120)
- 6 SCS SCR 6, (4-19-05, Pages 1136-1137) - Ervin
- 7 SCS SCR 8, (4-19-05, Pages 1137-1138) - Ervin
- 8 SCR 17, (5-11-05, Pages 1735-1736) - Roark

SENATE JOINT RESOLUTION FOR THIRD READING

SJR 19 - Jackson

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SCS SB 222 - Sutherland
- 2 SB 480, HPA 1, pending - Kraus
- 3 SB 518 - Cooper (155)
- 4 SCS SB 6 - Lager
- 5 SB 122 - Wright (137)
- 6 SB 162 - Cooper (155)
- 7 SB 209 - Pearce
- 8 SCS SB 227 - Kuessner
- 9 SCS SB 247 - Bruns
- 10 SB 265 - Wood
- 11 SB 288 - Lager
- 12 SB 304 - Ervin
- 13 HCS SB 308 - Pollock
- 14 SB 317 - Smith (118)
- 15 SCS SB 354 - Schlottach
- 16 SB 357 - Johnson (47)
- 17 HCS SB 364, E.C. - Franz
- 18 SCS SB 374 - Zweifel
- 19 SB 396 - Sutherland
- 20 SB 418 - Lipke
- 21 SCS SB 496 - Kelly
- 22 SCS SB 502, E.C. - Portwood
- 23 SB 521, as amended - Cooper (158)

SENATE BILLS FOR THIRD READING

1 HCS SCS SB 70 - Richard
2 SB 286 - Kingery
3 SB 479 - May
4 SB 526 - Cunningham (145)
5 SB 180 - Cooper (158)
6 HCS SCS SB 260 - Baker (123)
7 SB 268 - Byrd
8 SB 274 - Richard
9 SS SCS SB 346 - Ruestman
10 HCS SB 99 - Wood
11 SB 141 - Richard
12 HCS SB 173 - Hobbs
13 HCS SB 192 - Robinson
14 SB 232, HCA 1 - Bivins
15 SCS SB 310 - Dixon
16 HCS SCS SB 319, as amended, HA 2, pending, E.C. - Roark
17 SB 361 - Nance
18 SB 380 - Cunningham (86)
19 SB 431, E.C. - Sutherland
20 SCS SBs 23 & 51 - Lipke
21 HCS SCS SB 161 - Chinn
22 SB 358 - Richard
23 HCS SCS SB 57 - Wilson (130)
24 HCS SB 194 - Kraus
25 HCS SCS SB 468 - Icet
26 HCS#2 SB 123 - Byrd
27 HCS SS SCS SB 144 - Byrd
28 HCS#2 SB 165 - Byrd
29 SB 257 - Baker (123)
30 HCS SB 320 - Baker (123)
31 HCS SB 405 - Byrd
32 HCS SCS SB 196 - Ervin
33 HCS#2 SS SB 362 - Sutherland
34 HCS SB 42 - Muschany
35 HCS SS SCS SBs 37, 322, 78, 351 & 424 - Stevenson
36 HCS SS SB 402 - Johnson (47)

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HB 361 & HB 684 - Lipke
2 SCS HB 688 - Byrd
3 SCS HCS HB 362 - Lipke
4 SCS HB 456 - Kuessner
5 SCS HB 450 - Meiners
6 SCS HB 53 - Swinger
7 SCS HB 423 - Kuessner

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- 8 SCS HB 528 - Cunningham (145)
- 9 SCS HCS HB 443 - Sander
- 10 SCS HCS#2 HB 232 - Portwood
- 11 SCS HB 229 - Portwood
- 12 SS HB 116, as amended, E.C. - Deeken
- 13 HCS HB 824, SA 1 - Hobbs
- 14 SS SCS HCS HB 500 & 533 - Faith
- 15 HCS HB 388, SA 1 & SA 2 - Yates
- 16 SS SCS HCS HB 518, 288, 418 & 635, as amended - St. Onge
- 17 SS SCS HB 617 - Kelly
- 18 SS SCS HCS HB 186, as amended, E.C. - Emery
- 19 SCS HB 196 - Wildberger
- 20 SS#2 SCS HCS HB 972, as amended, E.C. - Jetton

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SCS SBs 221, 250 & 256, as amended
(request House recede/grant conference) - St. Onge
- 2 SS HCS HB 334, as amended
(request Senate recede/take up and pass bill), E.C. - Smith (118)

BILLS IN CONFERENCE

- 1 CCR HCS SS SCS SB 210, as amended - Johnson (47)
- 2 CCR HCS SCS#2 SB 155, as amended - Kingery
- 3 CCR SS SCS HCS HB 58, as amended, E.C. - Johnson (47)
- 4 CCR#2 HCS SCS SB 233, as amended - Nance
- 5 CCR SS SCS HCS HB 353, as amended, E.C. - Lipke
- 6 CCR HCS SCS SB 500, as amended, .C. - Lager
- 7 CCR SCS SB 390, HA 1 & HA 3 - Pratt
- 8 CCR SS HCS#2 HB 568, as amended - Stevenson
- 9 CCR HCS SCS SBs 420 & 344, as amended - Byrd
- 10 CCR SCS HCS HB 297 - Pearce

HOUSE CONCURRENT RESOLUTIONS

- 1 HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach
- 2 HCR 22, (4-20-05, Page 1171) - Bivins
- 3 HCR 33, (4-20-05, Pages 1171-1172) - Jetton
- 4 HCR 28, (4-21-05, Pages 1196-1197) - Salva

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

- 1 HCR 14, (4-26-05, Pages 1277-1278) - Zweifel
- 2 HJR 23 - Emery
- 3 HB 846 - Page

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTY-FIFTH DAY, FRIDAY, MAY 13, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Father Donald W. Lammers.

Alleluia.
Give thanks to the Lord, for He is good,
For His kindness endures forever.
Who can tell the mighty deeds of the Lord,
Or proclaim all His praises?
Happy are they who observe what is right,
Who do always what is just.
(*Psalm 106:1-3*)

Yes, Lord, we thank You. We thank You for all the good that has been accomplished in this 2005 Legislative Session. Individually, we thank You for the opportunity to participate in advancing justice and the common good.

In Your mercy O Lord, raise up persons from every institution and every community across our state to help those around them who are in need.

Be with us throughout the rest of this day, that we might complete the work before us.

Asking for Your grace and for Your abiding presence, we pray to You who are our God forever and ever.
Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Thomas Bassford, Dana Bassford, Sara Bassford, Sydney Owens, Jon Bock, Trisha Brandt, Ben Brown, Nathan Carter, Jason Davis, Tory Findley, Sam Fullmer, Kaitlin Hasenbeck, Dana Joseph, Trevor Kemp, Emily Light, Emily Merritt, Suzi Schroer, Madison Walker and Rachael Eylse Kohl.

The Journal of the seventy-fourth day was approved as corrected by the following vote:

AYES: 137

Aull	Avery	Baker 25	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown 30
Brown 50	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158

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Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Franz	Fraser	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hoskins	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Myers	Nance	Nieves	Nolte
Oxford	Page	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Baker 123	Bland	Bowman	Boykins	Brooks
Corcoran	El-Amin	Flook	George	Haywood
Hubbard	Johnson 61	Lowe 44	Meadows	Muschany
Parker	Robb	Rupp	Schneider	Spreng
Sutherland	Vogt	Wagner	Walton	Wildberger

VACANCIES: 001

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3310	-	Representative Oxford
House Resolution No. 3311	-	Representative Harris (110)
House Resolution No. 3312		
through		
House Resolution No. 3327	-	Representative Jetton
House Resolution No. 3328		
through		
House Resolution No. 3330	-	Representative Lager
House Resolution No. 3331	-	Representative Storch
House Resolution No. 3332	-	Representative Casey
House Resolution No. 3333	-	Representative Dempsey
House Resolution No. 3334	-	Representative Self
House Resolution No. 3335	-	Representative Smith (14)

House Resolution No. 3336	-	Representative Sander
House Resolution No. 3337		
through		
House Resolution No. 3339	-	Representative Byrd
House Resolution No. 3340		
through		
House Resolution No. 3342	-	Representative Johnson (61)
House Resolution No. 3343		
and		
House Resolution No. 3344	-	Representative Viebrock
House Resolution No. 3345		
through		
House Resolution No. 3347	-	Representative McGhee
House Resolution No. 3348		
through		
House Resolution No. 3350	-	Representative Lipke
House Resolution No. 3351	-	Representatives Silvey and Quinn
House Resolution No. 3352	-	Representative Cooper (155)
House Resolution No. 3353	-	Representative Kuessner
House Resolution No. 3354	-	Representative Dixon
House Resolution No. 3355		
through		
House Resolution No. 3360	-	Representative Schad
House Resolution No. 3361		
through		
House Resolution No. 3367	-	Representative Chinn
House Resolution No. 3368	-	Representative Henke
House Resolution No. 3369	-	Representative Franz
House Resolution No. 3370	-	Representative Baker (123)
House Resolution No. 3371	-	Representative Vogt
House Resolution No. 3372	-	Representative Dixon
House Resolution No. 3373	-	Representative Schad
House Resolution No. 3374	-	Representative Baker (25)
House Resolution No. 3375	-	Representative Fisher
House Resolution No. 3376	-	Representative Nieves
House Resolution No. 3377		
and		
House Resolution No. 3378	-	Representative Nance
House Resolution No. 3379	-	Representative Witte
House Resolution No. 3380		
through		
House Resolution No. 3385	-	Representative Aull
House Resolution No. 3386	-	Representative Page
House Resolution No. 3387		
and		
House Resolution No. 3388	-	Representative Chinn
House Resolution No. 3389	-	Representative El-Amin

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Speaker Pro Tem Bearden assumed the Chair.

THIRD READING OF SENATE BILLS

HCS SCS SB 196, relating to tax exemption for material recovery, was taken up by Representative Ervin.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 051

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Fraser	Harris 23	Harris 110
Henke	Hoskins	Hughes	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Storch
Swinger	Villa	Wagner	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 013

Bland	Bowman	Boykins	Brooks	El-Amin
George	Haywood	Hubbard	Johnson 61	Parker
Spreng	Vogt	Walton		

VACANCIES: 001

On motion of Representative Ervin, **HCS SCS SB 196** was adopted.

On motion of Representative Ervin, **HCS SCS SB 196** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hoskins	Hubbard	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 70
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 002

Casey	Selby
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PRESENT: 000

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ABSENT WITH LEAVE: 010

Bland	Bowman	Boykins	Brooks	George
Johnson 61	Parker	Spreng	Vogt	Walton

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

HCS SS SB 402, relating to alcohol-related problems of minors, was taken up by Representative Johnson (47).

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Haywood	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 056

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Harris 110	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Storch
Swinger	Villa	Wagner	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 008

Behnen	Bowman	Boykins	Brooks	Parker
Spreng	Vogt	Walton		

VACANCIES: 001

On motion of Representative Johnson (47), **HCS SS SB 402** was adopted.

On motion of Representative Johnson (47), **HCS SS SB 402** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hubbard	Hughes	Hunter
Iceet	Jackson	Johnson 47	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Wagner
Wallace	Walsh	Wasson	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 007

Brooks	Dougherty	El-Amin	George	Johnson 61
Lowe 44	Wells			

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PRESENT: 000

ABSENT WITH LEAVE: 007

Behnen	Bowman	Boykins	Parker	Spreng
Vogt	Walton			

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SB 431, relating to museum and tourism-related taxes, was taken up by Representative Sutherland.

Representative Lager offered **House Amendment No. 1**.

Representative Shoemyer raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Emery offered **House Amendment No. 2**.

Representative Shoemyer raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Wildberger offered **House Amendment No. 3**.

Representative Shoemyer raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Goodman	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh

May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 057

Aull	Baker 25	Bland	Bringer	Brooks
Brown 50	Burnett	Casey	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 004

Bowman	Boykins	Spreng	Walton
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VACANCIES: 001

On motion of Representative Sutherland, **SB 431** was truly agreed to and finally passed by the following vote:

AYES: 119

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Bland	Bringer	Bruns
Byrd	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Darrough	Daus	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Faith	Fares
Fisher	Franz	Fraser	George	Goodman
Guest	Haywood	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Icet	Jackson	Johnson 47
Jolly	Jones	Kingery	Kratky	Kuessner
Lager	Lampe	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Oxford	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Quinn	Rector	Richard	Robb	Ruestman
Rupp	Salva	Sander	Sater	Schad

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Schlottach	Schneider	Schoemehl	Self	Shoemyer
Skaggs	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright-Jones
Yaeger	Young	Zweifel	Mr Speaker	

NOES: 036

Aull	Baker 25	Brown 30	Brown 50	Burnett
Casey	Chinn	Cunningham 86	Curls	Davis
Day	Ervin	Flook	Harris 23	Harris 110
Henke	Johnson 90	Kelly	Kraus	Lembke
Meadows	Nolte	Page	Pratt	Roark
Robinson	Roorda	Rucker	Schaaf	Selby
Silvey	Wagner	Wells	Wildberger	Wright 159
Yates				

PRESENT: 001

El-Amin

ABSENT WITH LEAVE: 006

Bowman	Boykins	Brooks	Johnson 61	Spreng
Walton				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Bland	Bringer	Bruns
Byrd	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Curls	Darrough	Daus
Day	Deeken	Dempsey	Denison	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Faith	Fares	Fisher	Franz	Fraser
George	Goodman	Guest	Haywood	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Oxford	Parker	Parson
Pearce	Phillips	Pollock	Pratt	Quinn
Rector	Richard	Robb	Ruestman	Rupp
Salva	Sander	Sater	Schad	Schlottach
Schneider	Schoemehl	Self	Shoemyer	Skaggs
Smith 118	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock

Villa	Vogt	Wallace	Walsh	Walton
Wasson	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 032

Aull	Baker 25	Brown 30	Brown 50	Burnett
Casey	Chinn	Cunningham 86	Davis	Dethrow
Ervin	Flook	Harris 23	Harris 110	Henke
Johnson 61	Johnson 90	Kelly	Nolte	Portwood
Roark	Robinson	Roorda	Rucker	Schaaf
Selby	Silvey	Smith 14	Wagner	Wells
Wildberger	Wright 159			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bowman	Boykins	Brooks	Meadows	Page
Spreng				

VACANCIES: 001

HCS SB 320, relating to mechanics' liens, was taken up by Representative Byrd.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

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Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hughes	Johnson 61	Johnson 90	Jolly	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 005

Bowman	Boykins	Brooks	Meadows	Spreng
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VACANCIES: 001

On motion of Representative Byrd, **HCS SB 320** was adopted.

On motion of Representative Byrd, **HCS SB 320** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hoskins
Hughes	Hunter	Icet	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Ruestman	Rupp	Salva	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh

Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 005

Brown 50	Hubbard	Rucker	Self	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 005

Bowman	Boykins	Brooks	Sander	Spreng
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

RECONSIDERATION

Representative Wright (137), having voted on the prevailing side, moved that the vote by which **HCS SB 187** was defeated on Third Reading, be reconsidered.

The motion to reconsider **HCS SB 187** was withdrawn.

THIRD READING OF SENATE BILL

SB 257, relating to boards of election commissioners, was taken up by Representative Baker (123).

Representative Cooper (158) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 257, Page 1, Line 3 of the title, by deleting the words “the board of election commissioners” and inserting in lieu thereof the word “elections”; and

Further amend said bill, Page 3, Section 115.019, Line 81, by inserting after said line the following:

“115.203. 1. No person shall pay or otherwise compensate any other person for registering voters based on the number of:

- (1) Voters registered by the other person;**
- (2) Voter registration applications collected by the other person; or**
- (3) Voter registration applications submitted to election officials by the other person.**

2. No person shall receive or accept payment or any other compensation from any other person for registering voters based on the number of:

- (1) Voters registered by the person receiving or accepting payment or other compensation;**
- (2) Voter registration applications collected by the person receiving or accepting payment or other compensation; or**
- (3) Voter registration applications submitted to election officials by the person receiving or accepting payment or other compensation.**

3. No person who agrees or offers to submit a voter registration application for another person shall knowingly destroy, deface, or conceal such voter registration application.

4. Any person who accepts or receives a voter registration application from another person and agrees or offers to submit such application to the election authority for the registrant shall deliver the application to the election authority within seven days of accepting or receiving the application.

5. A violation of this section is a class four election offense.

115.205. 1. Any person who is paid or otherwise compensated for soliciting more than ten voter registration applications, other than a governmental entity or a person who is paid or compensated by a governmental entity for such solicitation, shall be registered with the secretary of state as a voter registration solicitor. A voter registration solicitor shall register for every election cycle which begins on the day after the general election and ends on the day of the general election two years later. A voter registration solicitor shall be at least eighteen years of age and shall be a registered voter in the state of Missouri.

2. Each voting registration solicitor shall provide the following information in writing to the secretary of state's office:

- (1) The name of the voting registration solicitor;
- (2) The residential address, including street number, city, state, and zip code;
- (3) The mailing address, if different from the residential address;
- (4) Whether the voting registration solicitor expects to be paid for soliciting voter registrations;
- (5) If the voter registration solicitor expects to be paid, the identity of the payor;
- (6) The signature of the voter registration solicitor.

3. The solicitor information required in subsection 2 of this section shall be submitted to the secretary of state's office with the following oath and affirmation:

"I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT."

4. Any voter registration solicitor who knowingly fails to register with the secretary of state or knowingly submits false information to the secretary of state is guilty of a class three election offense. Voter registration applications shall be accepted by the election authority if such applications are otherwise valid, even if the voter registration solicitor who procured the applications fails to register with or submits false information to the secretary of state.

115.219. 1. Any person who believes a violation of any provision of Title III of the Help America Voter Act of 2002 (HAVA), 42 U.S.C. Sections 15481 to 15485, has occurred, is occurring, or is about to occur may file a complaint with the elections division of the secretary of state's office.

2. Any complaint filed under this section shall:

- (1) Be in writing, signed, and sworn to before a notary public commissioned by the state of Missouri;
- (2) Be filed within thirty days of the certification of the election in which the violation is alleged to have occurred; and

(3) State the following:

(a) The name and mailing address of the person or persons alleged to have committed the violation of Title III of HAVA described in the complaint;

(b) A description of the act or acts that the person filing the complaint believes is a violation of Title III of HAVA; and

(c) The nature of the injury suffered or about to be suffered by the person filing the complaint.

3. The elections division shall promptly provide a copy of the complaint by certified mail to:

- (1) All persons identified in the complaint as possible violators of Title III of HAVA; and
- (2) The election authority in whose jurisdiction the violation is alleged to have occurred or is about to occur.

4. The elections division may consolidate complaints filed under this section.

5. Upon the proper filing of a complaint under this section, the secretary of state shall appoint a presiding officer who shall conduct an investigation of the complaint.

6. At the request of the person filing the complaint or if the presiding officer believes that the circumstances so dictate, the presiding officer shall conduct a hearing on the complaint and prepare a record on the hearing, such hearing to be conducted within ten days of the request of the person filing the complaint.

7. Upon completion of the investigation, the presiding officer shall submit the results to the elections division, which shall then issue a written report. The elections division shall provide a copy of the report by certified mail to:

- (1) The person who filed the complaint;
- (2) The person or persons alleged to have committed the violation; and
- (3) The election authority in whose jurisdiction the violation is alleged to have occurred.

8. The report described in subsection 7 of this section shall:

- (1) Indicate the date when the complaint was received by the elections division;
- (2) Contain findings of fact regarding the alleged violation and state whether a violation of Title III of HAVA has occurred;

(3) State what steps, if any, the person or persons alleged to have committed a violation have taken to correct and/or prevent any reoccurrence;

(4) Suggest any additional measures that could be taken to correct the violation;

(5) Indicate the date a violation was corrected or is expected to be corrected;

(6) Provide any additional information or recommendations useful in resolving the complaint.

9. If the elections division determines that there is a violation of Title III of HAVA, the elections division shall determine and provide the appropriate remedy, as authorized by law to do so. If the elections division determines that it is not authorized by law to provide an appropriate remedy, the elections division shall, if possible, refer the matter to the appropriate agency or office that has jurisdiction.

115.223. Whenever a voter's name has been removed from the registration records by an election authority, the voter may appeal the removal to the circuit court. Unless prohibited by court rule, the petition may be filed in an associate circuit court division. No formal pleading shall be required, and it shall be sufficient for the voter to present to the court an application verified by affidavit setting forth that [his] **the voter's** name has been removed from the registration records, the date of such removal, and any other information showing [his] **the voter's** qualification to vote. The application shall first be presented to the election authority, which shall either restore the voter's name to the registration records or furnish a statement showing the reason the voter's name was removed from the records. The court shall hear and dispose of such application forthwith. Evidence may be introduced for and against the application. If the court sustains the application, the court shall notify the election authority of its action, and the election authority shall restore the applicant's name to the registration records and note that it was restored by order of the court. No person whose name is restored to the registration records by order of the court shall be protected by such order if [he] **such person** is challenged or prosecuted for false registration or false voting. If a voter's name [is] **has been removed from the registration records and the voter discovers such removal more than fifteen days prior to the election, any appeal to the circuit court shall be filed on or before fourteen days prior to the election and shall be decided by the court before election day. If a voter's name has been removed from the registration records and the voter discovers such removal within fourteen days of the election, any appeal to the circuit court shall be expeditiously filed with and decided by the court. If a court determines that a voter's name should be restored to the registration records [by the election authority or by order of the court] on election day, the voter shall be permitted to [vote] cast a provisional ballot under section 115.430 in the office of the election authority and the vote shall be counted if the voter was eligible to vote. A copy of the voter's pleading or application, the election authority statement, and the court order shall be attached to the provisional ballot envelope.**

115.427. [1. Before receiving a ballot, voters shall identify themselves by presenting a form of personal identification from the following list:

- (1) Identification issued by the state of Missouri, an agency of the state, or a local election authority of the state;
- (2) Identification issued by the United States government or agency thereof;
- (3) Identification issued by an institution of higher education, including a university, college, vocational and technical school, located within the state of Missouri;
- (4) A copy of a current utility bill, bank statement, government check, paycheck or other government document that contains the name and address of the voter;
- (5) Driver's license or state identification card issued by another state; or
- (6) Other identification approved by the secretary of state under rules promulgated pursuant to subsection 3 of this section other identification approved by federal law.

Personal knowledge of the voter by two supervising election judges, one from each major political party, shall be acceptable voter identification upon the completion of a secretary of state-approved affidavit that is signed by both supervisory election judges and the voter that attests to the personal knowledge of the voter by the two supervisory

election judges. The secretary of state may provide by rule for a sample affidavit to be used for such purpose.] **1. Before receiving a ballot, voters shall establish their eligibility to vote at the polling place by presenting a form of personal identification. "Personal identification" shall only mean a document that satisfies all of the following requirements:**

- (1) The document shows the name of the individual to whom the document was issued, and the name conforms to the name in the individual's voter registration record.
- (2) The document shows a photograph of the individual to whom the document was issued.
- (3) The document includes an expiration date, and the document:
 - (a) is not expired; or
 - (b) expired after the date of the most recent general election.
- (4) The document was issued by the United States or the state of Missouri.

2. The election judges shall notify a voter who presents at the polling place without a form of personal identification that satisfies the requirements of subsection 1 of this section that the voter may return to the polling place with a proper form of personal identification and vote a regular ballot after election officials have verified the voter's identity pursuant to subsection 1 of this section. Voters who return to the polling place during the uniform polling hours established by section 115.407 with a current and valid form of personal identification shall be given priority in any voting lines.

3. A voter, who is otherwise qualified to vote, may establish the voter's identity by executing an affidavit averring that the voter is the person listed in the precinct register and that the voter does not possess a form of identification specified in this section and is unable to obtain a current and valid form of personal identification because of:

- (1) a physical or mental disability or handicap of the voter, if the voter is otherwise competent to vote under Missouri law; or
- (2) a sincerely held religious belief against the forms of personal identification described in subsection 1 of this section.

4. The affidavit to be used for voting pursuant to subsection 3 of this section shall be in substantially the following form:

State of

County of

I do solemnly swear (or affirm) that my name is; that I reside at ...
; and that I am the person listed in the precinct register under this name
 and at this address. I further swear (or affirm) that I am unable to obtain a current and valid form of personal
 identification because of:

- ___ a physical or mental disability or handicap; or
 ___ a sincerely held religious belief.

I understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

.....

Signature of voter

Subscribed and affirmed before me this Day of, 20....

.....

Signature of Election Official

5. A voter shall be allowed to cast a provisional ballot pursuant to section 115.430 even if the election judges cannot establish the voter's identity pursuant to subsection 1 of this section. The election judges shall make a notation on the provisional ballot to indicate that the voter's identify was not verified. The provisional ballot cast by such a voter shall not be counted unless:

- (1) the voter returns to the polling place during the uniform polling hours established by section 115.407, RSMo, and provides a form of personal identification that allows the election judges to verify the voter's identity as provided in subsection 1 of this section; and
- (2) the provisional ballot otherwise qualifies to be counted pursuant to section 115.430, RSMo.

6. The secretary of state shall provide advance notice of the personal identification requirements of section 1 of this section in a manner calculated to generally inform the public of the requirement for photographic personal identification as provided in this section.

7. The provisions of section 302.181, RSMo, notwithstanding, the director of revenue shall waive the fee required pursuant to subsection 7 of section 302.181, RSMo, for any applicant who requests a non-driver's license with a photograph or digital image if the applicant executes an affidavit averring that the applicant is indigent and does not have any other form of photographic personal identification that meets the requirements of subsection 1 of section 115.427. The director shall design an affidavit to be used for this purpose.

[2.] **8.** The precinct register shall serve as the voter identification certificate. The following form shall be printed at the top of each page of the precinct register:

VOTER'S IDENTIFICATION CERTIFICATE

Warning: It is against the law for anyone to vote, or attempt to vote, without having a lawful right to vote.

PRECINCT

WARD OR TOWNSHIP GENERAL (SPECIAL, PRIMARY) ELECTION

Held, 20....

Date

I hereby certify that I am qualified to vote at this election by signing my name and verifying my address by signing my initials next to my address.

[3.] **9.** The secretary of state shall promulgate rules to effectuate the provisions of this section.

[4.] **10.** Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

[5.] **11.** If any voter is unable to sign his name at the appropriate place on the certificate or computer printout, an election judge shall print the name and address of the voter in the appropriate place on the precinct register, the voter shall make his mark in lieu of signature, and the voter's mark shall be witnessed by the signature of an election judge.

115.430. 1. This section shall apply to primary and general elections where candidates for federal or statewide offices are nominated or elected and any election where statewide issue or issues are submitted to the voters. **The provisional ballot contained in this section shall contain the statewide candidates and issues, and federal candidates. The congressional district on the provisional ballot shall be for the address contained on the affidavit provided for in this section.**

2. (1) A voter claiming to be properly registered in the jurisdiction of the election authority and eligible to vote in an election, but whose eligibility cannot be immediately established upon examination of the precinct register or upon examination of the records on file with the election authority, shall be entitled to vote a provisional ballot after providing a form of personal identification required pursuant to section 115.427, or may vote at a central polling place as established in section 115.115 where they may vote their appropriate ballot upon verification of eligibility or vote a provisional ballot if eligibility cannot be determined. [The provisional ballot contained in this section shall contain the statewide candidates and issues, and federal candidates. The congressional district on the provisional ballot shall be for the address contained on the affidavit provided for in this section. If the voter declares that the voter is eligible to vote and the election authority determines that the voter is eligible to vote at another polling place, the voter shall be directed to the correct polling place or a central polling place as established by the election authority pursuant to subsection 5 of section 115.115. If the voter refuses to go to the correct polling place or a central polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place, but such ballot shall not be counted.]

(2) **The following steps shall be taken to establish a voter's eligibility to vote at a polling place:**

(a) **The election judge shall examine the precinct register as provided in section 115.425. If the voter is registered and eligible to vote at the polling place, the voter shall receive a regular ballot;**

(b) **If the voter's eligibility cannot be immediately established by examining the precinct register, the election judge shall contact the election authority. If the election authority cannot immediately establish the voter is registered and eligible to vote at the polling place upon examination of its records on file, or if the election judge is unable to make contact with the election authority immediately, the voter shall be notified that the voter is entitled to a provisional ballot.**

(3) **The voter shall have the duty to appear and vote at the correct polling place. If an election judge determines that the voter is not eligible to vote at the current polling place and appears to be eligible to vote at another polling place, the voter shall be informed that the voter may cast a provisional ballot at the current polling place, or may travel to the correct polling place or a central polling place as established by the election authority under subsection 5 of section 115.115 where the voter may cast a regular ballot or provisional ballot**

if the voter's eligibility still cannot be determined. Provisional ballots cast at a polling place shall be counted only if the voter was eligible to vote at such polling place as provided in subsection 5 of this section.

(4) For a voter requesting an absentee ballot, such voter shall be entitled to cast a provisional ballot when the voter's eligibility cannot be immediately established upon examination of the records on file with the election authority.

(5) Prior to accepting any provisional ballot at the polling place, the election judges shall determine that the information provided on the provisional ballot envelope by the provisional voter is consistent with the identification provided by such person under section 115.427.

3. (1) No person shall be entitled to receive a provisional ballot until such person has completed a provisional ballot affidavit on the provisional ballot envelope.

(2) The secretary of state shall produce appropriate sizes of provisional ballot envelopes and distribute them to each election authority according to their tabulating system. All provisional ballot envelopes shall be printed on a distinguishable color of paper. The provisional ballot envelope shall be in the form required by subsection 4 of this section.

(3) Once voted, the provisional ballot shall be placed and sealed in a provisional ballot envelope.

4. The provisional ballot in its envelope shall be deposited in the ballot box. The provisional ballot envelope shall be completed by the voter for use in determining eligibility. The provisional ballot envelope specified in this section shall contain a voter's certificate which shall be in substantially the following form:

STATE OF

COUNTY OF

I do solemnly swear (or affirm) that my name is; that my date of birth is; that the last four digits of my Social Security Number are; that I am registered to vote in County or City (if a City not within a County), Missouri; that I am a qualified voter of said County (or City not within a County); that I am eligible to vote at this polling place; and that I have not voted in this election.

I understand that if the above-provided information is not correct and the election authority determines that I am not registered and eligible to vote, my vote will not be counted. I further understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

.....

(Signature of Voter)

.....

(Current Address)

Subscribed and affirmed before me this day of, 20.....

.....

(Signature of Election Official)

The voter may provide additional information to further assist the election authority in determining eligibility, including the place and date the voter registered to vote, if known.

[4.] 5. (1) Prior to [certification of the election] **counting any provisional ballot**, the election authority shall determine if the voter is registered and [entitled] **eligible** to vote and if the vote was properly cast. **The eligibility of provisional voters shall be determined according to the requirements for a voter to cast a ballot in the election as set forth in sections 115.133 and 115.135. A provisional voter is not eligible if the voter cast a provisional ballot at the wrong polling place or if the voter previously voted by regular ballot, absentee ballot, or otherwise.**

(2) When the ballot boxes are delivered to the election authority from the polling places, the receiving teams shall separate the provisional ballots from the rest of the ballots and place the sealed provisional ballot envelopes in a separate container. Teams of election authority employees or teams of election judges with each team consisting of one member of each major political party shall photocopy each provisional ballot envelope, such photocopy to be used by the election authority to determine provisional voter eligibility. The sealed provisional ballot envelopes shall be placed by the team in a sealed container and shall remain therein until tabulation.

(3) To determine whether a provisional ballot is valid and entitled to be counted, the election authority shall examine its records and verify that the provisional voter is properly registered and eligible to vote in the election. If the provisional voter has provided information regarding the registration agency where the provisional voter registered to vote, the election authority shall make an inquiry of the registration agency to determine whether the provisional voter is properly registered and eligible to vote in the election.

(4) If the election authority determines that the provisional voter is registered and eligible to vote in the election, the election authority shall provide documentation verifying the voter's eligibility. Such documentation

shall be noted on the copy of the provisional ballot envelope and shall contain substantially the following information:

- (a) The name of the provisional voter;
- (b) The name of the reviewer;
- (c) The date and time; and
- (d) A description of evidence found that supports the voter's eligibility.

(5) The local election authority shall record on a provisional ballot acceptance/rejection list the provisional ballot identification number and a notation marking it as accepted.

(6) If the election authority determines that the provisional voter is not registered and/or eligible to vote in the election, the election authority shall provide documentation verifying the voter's ineligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and shall contain substantially the following information:

- (a) The name of the provisional voter;
- (b) The name of the reviewer;
- (c) The date and time; and
- (d) A description of why the voter is ineligible.

(7) The local election authority shall record on a provisional ballot acceptance/rejection list the provisional ballot identification number and notation marking it as rejected.

(8) If rejected, a photocopy of the envelope shall be made and used by the election authority as a mail-in voter registration. The actual provisional ballot envelope shall be kept as ballot material and the copy of the envelope shall be used by the election authority for registration record keeping.

6. All provisional ballots cast by voters whose eligibility has been verified shall be counted in accordance with the rules governing ballot tabulation. Provisional ballots shall not be counted until all provisional ballots are determined either eligible or ineligible. The provisional ballot shall be counted only if the election authority determines that the voter is registered and [entitled] **eligible** to vote. Provisional ballots voted in the wrong polling place shall not be counted. If the voter is not registered but is qualified to register for future elections, the affidavit shall be considered a [mail] **mail-in** application to register to vote pursuant to this chapter.

7. (1) After the election authority completes its review of the provisional voter's eligibility under subsection 5 of this section, the election authority shall deliver the provisional ballots and copies of the provisional ballot envelopes which include eligibility information to bipartisan counting teams, which may be the board of verification, for review and tabulation. The election authority shall maintain a record of such delivery. The record shall include the number of ballots delivered to each team and shall include a signed receipt from two judges, one from each major political party. The election authority shall provide each team with a ballot box and material necessary for tabulation.

(2) If the person named on the provisional ballot affidavit is found to have been properly qualified and registered to cast a ballot in the election, the envelope shall be opened and the ballot shall be placed in a ballot box to be counted.

(3) If the person named on the provisional ballot affidavit is found not to have been properly qualified and registered to cast a ballot in the election or if the election authority is unable to determine such person's right to vote, the envelope containing the provisional ballot shall not be opened and the person's vote shall not be counted. The members of the team shall follow the procedures set forth in subsection 5 of this section for rejected provisional ballots.

(4) The votes shall be tallied and the returns made as provided in sections 115.447 to 115.525 for paper ballots. After the vote on all ballots assigned to a team have been counted, the ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by the election authority shall be enclosed in sealed containers marked "Voted provisional ballots and ballot envelopes from the election held, 20..". All rejected provisional ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by the election authority shall be enclosed in sealed containers marked "Rejected provisional ballots and ballot envelopes from the election held, 20..". On the outside of each voted ballot and rejected ballot container, each member of the team shall write their name and all such containers shall be returned to the election authority. Upon receipt of the returns and ballots, the election authority shall tabulate the provisional votes.

8. Challengers and watchers, as provided by sections 115.105 and 115.107, may be present during all times that the bipartisan counting teams are reviewing and/or counting the provisional ballots, the provisional ballot envelopes, and/or copies of the provisional ballot envelopes which include eligibility information provided by the election authority. The election authority shall notify the county chair of each major political party of the time and location when bipartisan counting teams will be reviewing and/or counting the provisional ballots, the

provisional ballot envelopes, and/or the copies of the provisional ballot envelopes which include the eligibility information provided by the election authority.

9. The certificate of ballot cards shall:

(1) Reflect the number of provisional envelopes delivered; and

(2) Reflect the number of sealed provisional envelopes with voted ballots deposited in the ballot box.

[5.] 10. In counties where the voting system does not utilize a paper ballot, the election authority shall provide the appropriate provisional ballots to each polling place.

[6.] 11. The secretary of state may promulgate rules for purposes of ensuring the uniform application of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

[7.] 12. The secretary of state shall design and provide to the election authorities the envelopes and forms necessary to carry out the provisions of this section.

[8.] 13. Pursuant to the Help America Vote Act of 2002, the secretary of state shall ensure a free access system is established, such as a toll-free number or an Internet web site, that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted. At the time an individual casts a provisional ballot, the election authority shall give the voter written information that states that any individual who casts a provisional ballot will be able to ascertain under such free access system whether the vote was counted, and if the vote was not counted, the reason that the vote was not counted.

[9.] 14. In accordance with the Help America Vote Act of 2002, any individual who votes in an election as a result of a court order or any other order extending the time established for closing the polls in section 115.407 may vote only by using a provisional ballot, and such provisional ballot shall be separated and held apart from other provisional ballots cast by those not affected by the order. Such ballots shall not be counted until such time as the ballots are determined to be valid. **No state court shall have jurisdiction to extend the polling hours established by law, including section 115.407; except that, during a declared state of emergency of a statewide nature, the governor, the president pro tem of the Missouri senate, and the speaker of the Missouri house of representatives shall jointly have the authority to extend the polling hours established by law and the secretary of state shall develop a plan for such an extension of the polling hours during a declared state of emergency.**

115.456. 1. (1) The election authority shall be responsible for ensuring that the standards provided for in this subsection are followed when counting ballots cast using punch card voting systems.

(2) Prior to tabulating ballots, all ballot cards shall be inspected by the election authority for hanging chad and/or damaged ballots.

(3) Inspection of ballot cards shall be conducted using the following guidelines:

(a) The election authority shall appoint a bipartisan team to inspect all ballots where a question exists about the condition of a ballot or existence of a hanging chad;

(b) All ballot card inspections conducted under this section shall be conducted by examining the ballot card from the back of the card;

(c) If a ballot is determined to be damaged, the bipartisan team shall spoil the original ballot and duplicate the voter's intent on the new ballot, provided that there is an undisputed method of matching the duplicate card with its original after it has been placed with the remainder of the ballot cards from the precinct; and

(d) If a chad is determined to be hanging by two or less corners, it shall be removed prior to being tabulated.

(4) In jurisdictions using punch card systems, a valid vote for a write-in candidate shall include the following:

(a) A distinguishing mark in the square immediately preceding the name of the candidate;

(b) The name of the candidate. If the name of the candidate as written by the voter is substantially as declared by the candidate it shall be counted, or in those circumstances where the names of candidates are similar, the names of candidates as shown on voter registration records shall be counted; and

(c) The name of the office for which the candidate is to be elected.

(5) Whenever a hand recount of votes is ordered of punch card ballots, the provisions of this subsection shall be used to determine voter intent.

2. (1) The election authority shall be responsible for ensuring that the standards provided for in this subsection are followed when counting ballots cast using optical scan voting systems.

(2) Prior to tabulating ballots, all machines shall be programmed to reject blank ballots where no votes are recorded or where an overvote is registered in any race.

(3) In jurisdictions using precinct-based tabulators, the voter who cast the ballot shall review the ballot if rejected, if the voter wishes to make any changes to the ballot or if the voter would like to spoil the ballot and receive another ballot.

(4) In jurisdictions using centrally based tabulators, if a ballot is so rejected it shall be reviewed by a bipartisan team using the following criteria:

(a) If a ballot is determined to be damaged, the bipartisan team shall spoil the original ballot and duplicate the voter's intent on the new ballot, provided that there is an undisputed method of matching the duplicate card with its original after it has been placed with the remainder of the ballot cards from such precinct; and

(b) Voter intent shall be determined using the following criteria:

a. There is a distinguishing mark in the printed oval adjacent to the name of the candidate or issue preference;

b. There is a distinguishing mark adjacent to the name of the candidate or issue preference; or

c. The name of the candidate or issue preference is circled.

(5) In jurisdictions using optical scan systems, a valid vote for a write-in candidate shall include the following:

(a) A distinguishing mark in the designated location preceding the name of the candidate;

(b) The name of the candidate. If the name of the candidate as written by the voter is substantially as declared by the candidate it shall be counted, or in those circumstances where the names of candidates are similar, the names of candidates as shown on voter registration records shall be counted; and

(c) The name of the office for which the candidate is to be elected.

(6) Whenever a hand recount of votes of optical scan ballots is ordered, the provisions of this subsection shall be used to determine voter intent.

3. (1) The election authority shall be responsible for ensuring that the standards provided for in this subsection are followed when counting ballots cast using paper ballots.

(2) Voter intent shall be determined using the following criteria:

(a) There is a distinguishing mark in the square adjacent to the name of the candidate or issue preference;

(b) There is a distinguishing mark adjacent to the name of the candidate or issue preference; or

(c) The name of the candidate or issue preference is circled.

(3) In jurisdictions using paper ballots, a valid vote for a write-in candidate shall include the following:

(a) A distinguishing mark in the square immediately preceding the name of the candidate;

(b) The name of the candidate. If the name of the candidate as written by the voter is substantially as declared by the candidate it shall be counted, or in those circumstances where the names of candidates are similar, the names of candidates as shown on voter registration records shall be counted; and

(c) The name of the office for which the candidate is to be elected.

(4) Whenever a hand recount of votes of paper ballots is ordered, the provisions of this subsection shall be used to determine voter intent.

4. When write-in stickers are used, the sticker shall contain the name of a candidate, office sought, and a distinguishing mark in the square immediately preceding the name of the candidate and shall be approximately one inch by three inches in size with black print on a white background. The sticker shall be placed by the voter on the write-in line designating the office sought or the sticker shall be placed by the voter on the write-in line on the secrecy envelope.

115.637. The following offenses, and any others specifically so described by law, shall be class four election offenses and are deemed misdemeanors not connected with the exercise of the right of suffrage. Conviction for any of these offenses shall be punished by imprisonment of not more than one year or by a fine of not more than two thousand five hundred dollars or by both such imprisonment and fine:

(1) Stealing or willfully concealing, defacing, mutilating, or destroying any sample ballots that may be furnished by an organization or individual at or near any voting place on election day, except that this subdivision shall not be construed so as to interfere with the right of an individual voter to erase or cause to be erased on a sample ballot the name of any candidate and substituting the name of the person for whom he intends to vote; or to dispose of the received sample ballot;

(2) Printing, circulating, or causing to be printed or circulated, any false and fraudulent sample ballots which appear on their face to be designed as a fraud upon voters;

(3) Purposefully giving a printed or written sample ballot to any qualified voter which is intended to mislead the voter;

(4) On the part of any candidate for election to any office of honor, trust, or profit, offering or promising to discharge the duties of such office for a less sum than the salary, fees, or emoluments as fixed by law or promising to pay back or donate to any public or private interest any portion of such salary, fees, or emolument as an inducement to voters;

(5) On the part of any canvasser appointed to canvass any registration list, willfully failing to appear, refusing to continue, or abandoning such canvass or willfully neglecting to perform his duties in making such canvass or willfully neglecting any duties lawfully assigned to him;

(6) On the part of any employer, making, enforcing, or attempting to enforce any order, rule, or regulation or adopting any other device or method to prevent an employee from engaging in political activities, accepting candidacy for nomination to, election to, or the holding of, political office, holding a position as a member of a political committee, soliciting or receiving funds for political purpose, acting as chairman or participating in a political convention, assuming the conduct of any political campaign, signing, or subscribing his name to any initiative, referendum, or recall petition, or any other petition circulated pursuant to law;

(7) On the part of any person authorized or employed to print official ballots, or any person employed in printing ballots, giving, delivering, or knowingly permitting to be taken any ballot to or by any person other than the official under whose direction the ballots are being printed, any ballot in any form other than that prescribed by law, or with unauthorized names, with names misspelled, or with the names of candidates arranged in any way other than that authorized by law;

(8) On the part of any election authority or official charged by law with the duty of distributing the printed ballots, or any person acting on his behalf, knowingly distributing or causing to be distributed any ballot in any manner other than that prescribed by law;

(9) Any person having in his possession any official ballot, except in the performance of his duty as an election authority or official, or in the act of exercising his individual voting privilege;

(10) Willfully mutilating, defacing, or altering any ballot before it is delivered to a voter;

(11) On the part of any election judge, willfully absenting himself from the polls on election day without good cause or willfully detaining any election material or equipment and not causing it to be produced at the voting place at the opening of the polls or within fifteen minutes thereafter;

(12) On the part of any election authority or official, willfully neglecting, refusing, or omitting to perform any duty required of him by law with respect to holding and conducting an election, receiving and counting out the ballots, or making proper returns;

(13) On the part of any election judge, or party watcher or challenger, furnishing any information tending in any way to show the state of the count to any other person prior to the closing of the polls;

(14) On the part of any voter, except as otherwise provided by law, allowing his ballot to be seen by any person with the intent of letting it be known how he is about to vote or has voted, or knowingly making a false statement as to his inability to mark his ballot;

(15) On the part of any election judge, disclosing to any person the name of any candidate for whom a voter has voted;

(16) Interfering, or attempting to interfere, with any voter inside a polling place;

(17) On the part of any person at any registration site, polling place, counting location or verification location, causing any breach of the peace or engaging in disorderly conduct, violence, or threats of violence whereby such registration, election, count or verification is impeded or interfered with;

(18) Exit polling, surveying, sampling, electioneering, distributing election literature, posting signs or placing vehicles bearing signs with respect to any candidate or question to be voted on at an election on election day inside the building in which a polling place is located or within [twenty-five] **fifty** feet of the building's outer door closest to the polling place, or, on the part of any person, refusing to remove or permit removal from property owned or controlled by him, any such election sign or literature located within such distance on such day after request for removal by any person;

(19) Stealing or willfully defacing, mutilating, or destroying any campaign yard sign on private property, except that this subdivision shall not be construed to interfere with the right of any private property owner to take any action with regard to campaign yard signs on the owner's property and this subdivision shall not be construed to interfere with the right of any candidate, or the candidate's designee, to remove the candidate's campaign yard sign from the owner's private property after the election day;

(20) **Knowingly disclosing confidential information in violation of section 115.298.**

130.026. 1. For the purpose of this section, the term "election authority" or "local election authority" means the county clerk, except that in a city or county having a board of election commissioners the board of election commissioners shall be the election authority. For any political subdivision or other district which is situated within the jurisdiction of more than one election authority, as defined herein, the election authority is the one in whose jurisdiction the candidate resides or, in the case of ballot measures, the one in whose jurisdiction the most populous portion of the political subdivision or district for which an election is held is situated, except that a county clerk or a county board of election commissioners shall be the election authority for all candidates for elective county offices other than county clerk and for any countywide ballot measures.

2. The appropriate officer or officers for candidates and ballot measures shall be as follows:

(1) In the case of candidates for the offices of governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, **state senator, state representative**, judges of the supreme court and appellate court judges, the appropriate officer shall be the Missouri ethics commission;

(2) Notwithstanding the provisions of subsection 1 of this section, in the case of candidates for the offices of [state senator, state representative,] county clerk, and associate circuit court judges and circuit court judges, the appropriate officers shall be the Missouri ethics commission and the election authority for the place of residence of the candidate;

(3) In the case of candidates for elective municipal offices in municipalities of more than one hundred thousand inhabitants and elective county offices in counties of more than one hundred thousand inhabitants, the appropriate officers shall be the Missouri ethics commission and the election authority of the municipality or county in which the candidate seeks office;

(4) In the case of all other offices, the appropriate officer shall be the election authority of the district or political subdivision for which the candidate seeks office;

(5) In the case of ballot measures, the appropriate officer or officers shall be:

(a) The Missouri ethics commission for a statewide measure;

(b) The local election authority for any political subdivision or district as determined by the provisions of subsection 1 of this section for any measure, other than a statewide measure, to be voted on in that political subdivision or district.

3. The appropriate officer or officers for candidate committees and campaign committees shall be the same as designated in subsection 2 of this section for the candidates or ballot measures supported or opposed as indicated in the statement of organization required to be filed by any such committee.

4. The appropriate officer for political party committees shall be as follows:

(1) In the case of state party committees, the appropriate officer shall be the Missouri ethics commission;

(2) In the case of any district, county or city political party committee, the appropriate officer shall be the Missouri ethics commission and the election authority for that district, county or city.

5. The appropriate officers for a continuing committee and for any other committee not named in subsections 3, 4 and 5 of this section shall be as follows:

(1) The Missouri ethics commission and the election authority for the county in which the committee is domiciled; and

(2) If the committee makes or anticipates making expenditures other than direct contributions which aggregate more than five hundred dollars to support or oppose one or more candidates or ballot measures in the same political subdivision or district for which the appropriate officer is an election authority other than the one for the county in which the committee is domiciled, the appropriate officers for that committee shall include such other election authority or authorities, except that committees covered by this subsection need not file statements required by section 130.021 and reports required by subsections 6, 7 and 8 of section 130.046 with any appropriate officer other than those set forth in subdivision (1) of this subsection.

6. The term "domicile" or "domiciled" means the address of the committee listed on the statement of organization required to be filed by that committee in accordance with the provisions of section 130.021.

130.086. Notwithstanding any of the other provisions of this chapter, national political party committees, candidates for elective federal offices and any committee formed for the [sole] purpose of supporting a candidate or candidates for elective federal office shall be deemed to have fully complied with the **reporting and recordkeeping** provisions of this chapter if they have complied with all the reporting requirements of the federal election laws, and if copies of all election reports which are required by federal law to be filed with appropriate federal officials are **available on a publicly federal government website or** filed with the Missouri ethics commission at the same time that they are filed with federal officials, and if all books and records relating thereto are kept in accordance with federal law.

[115.126. 1. Notwithstanding any provision of this chapter to the contrary, election authorities shall establish a plan to implement an advance voting period when eligible registered voters may vote before any general election in presidential election years at the office of the election authority and up to four other polling places designated by and under the control of the election authority. Such plan shall provide that the permissible advance voting period shall begin fourteen days prior to such election and end at 5:00 p.m. on the Wednesday before the day of such election.

2. Election authorities shall, pursuant to subsection 1 of this section, establish in their plans the hours and locations for advance voting. The election authority shall have all advance voting locations open on all business days during the advance voting period, and may have all advance voting locations open on Saturdays, Sundays and holidays during the advance voting period.

3. Except as provided in this section, advance voting procedures shall be conducted pursuant to sections 115.407 to 115.445. The secretary of state shall design the necessary application for use in an advance voting program pursuant to this section. All election authorities in this state shall submit to the secretary of state a plan to implement the advance voting period by December 31, 2002. The secretary of state shall assist election authorities in developing a plan for the implementation of an advance voting program.

4. The plans established pursuant to this section shall also require that before the precinct registers are delivered to the polling places for an election, the election authority shall record in the precinct registers the names of all voters who have submitted an advance voting ballot. The election judge shall not allow any person who has voted an advance voting ballot in the election to vote at the polls on election day. If it is determined that any voter submitted an advance voting ballot and voted at the polls on election day, such person, having voted more than once, is guilty of a class one election offense pursuant to subdivision (2) of section 115.631.

5. The secretary of state may promulgate rules to effectuate the provisions of this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.]" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris (23) objected to the waiver of the reading of House Amendment No. 1.

Representative Stevenson moved to dispense with the reading of **House Amendment No. 1**.

Representative Roorda raised a point of order that the motion was out of order.

The Chair ruled the point of order not timely.

The motion to dispense with the reading of **House Amendment No. 1** was withdrawn.

SB 257, with House Amendment No. 1, pending, was laid over.

BILLS IN CONFERENCE

CCR HCS SS SCS SB 210, as amended, relating to local government, was taken up by Representative Johnson (47).

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Goodman
Guest	Hobbs	Hoskins	Hubbard	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 057

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrrough	Daus	Donnelly	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Meadows	Meiners	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 001

Dougherty

ABSENT WITH LEAVE: 007

Avery	Boykins	Brooks	Franz	Lowe 44
Parker	Spreng			

VACANCIES: 001

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On motion of Representative Johnson (47), **CCR HCS SS SCS SB 210, as amended**, was adopted by the following vote:

AYES: 130

Avery	Baker 123	Bean	Bearden	Bivins
Black	Bland	Bowman	Bringer	Brown 30
Bruns	Burnett	Byrd	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Emery	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Haywood	Henke	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kuessner	Lager	Lampe
Lembke	Liese	Lipke	Low 39	Lowe 44
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Quinn	Rector	Richard
Roark	Robb	Robinson	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schad
Schlottach	Schoemehl	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Wasson	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright-Jones	Yaeger	Young	Zweifel	Mr Speaker

NOES: 025

Aull	Baker 25	Behnen	Brown 50	Casey
Darrough	Dusenberg	Ervin	Harris 23	Harris 110
Johnson 90	Kraus	LeVota	Loehner	Meadows
Oxford	Pratt	Roorda	Schaaf	Schneider
Selby	Wells	Whorton	Wright 159	Yates

PRESENT: 003

Johnson 61	Meiners	Walton
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ABSENT WITH LEAVE: 004

Boykins	Brooks	El-Amin	Spreng
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VACANCIES: 001

Representative Selby requested a verification of the roll call on the motion to adopt **CCR HCS SS SCS SB 210, as amended**.

On motion of Representative Johnson (47), **CCS HCS SS SCS SB 210** was truly agreed to and finally passed by the following vote:

AYES: 126

Avery	Baker 123	Bean	Bearden	Bivins
Black	Bland	Bowman	Bringer	Brown 30
Bruns	Burnett	Byrd	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dougherty	El-Amin
Emery	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Haywood	Henke	Hobbs	Hoskins	Hubbard
Hughes	Hunter	Ice	Jackson	Johnson 47
Jolly	Jones	Kelly	Kingery	Kratky
Kuessner	Lager	Lampe	Lembke	Liese
Lipke	Low 39	Lowe 44	Marsh	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Pearce	Phillips	Pollock	Portwood	Quinn
Rector	Richard	Roark	Robb	Robinson
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schad	Schlottach	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright-Jones	Yaeger	Young
Mr Speaker				

NOES: 028

Aull	Baker 25	Behnen	Casey	Chinn
Chappelle-Nadal	Darrough	Donnelly	Dusenberg	Ervin
Harris 23	Harris 110	Johnson 90	Kraus	LeVota
Loehner	Meadows	Oxford	Pratt	Roorda
Schaaf	Schneider	Selby	Wells	Whorton
Wright 159	Yates	Zweifel		

PRESENT: 003

Brown 50	Johnson 61	Walton
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ABSENT WITH LEAVE: 005

Boykins	Brooks	May	Parson	Spreng
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR HCS SCS#2 SB 155, as amended, relating to child abuse and neglect reports, was taken up by Representative Kingery.

On motion of Representative Kingery, **CCR HCS SCS#2 SB 155, as amended**, was adopted by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hughes
Hunter	Iceet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 005

Brooks	Brown 50	El-Amin	Hoskins	Hubbard
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ABSENT WITH LEAVE: 002

Boykins	Spreng
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VACANCIES: 001

On motion of Representative Kingery, **CCS HCS SCS#2 SB 155** was truly agreed to and finally passed by the following vote:

AYES: 152

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 007

Bowman	Brooks	Brown 50	Haywood	Hoskins
Hubbard	Rucker			

ABSENT WITH LEAVE: 003

Boykins	Cooper 120	Spreng
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Wagner assumed the Chair.

CCR SS SCS HCS HB 58, as amended, relating to political subdivisions, was taken up by Representative Johnson (47).

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 045

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Darrough	Daus	Donnelly
Fraser	George	Harris 23	Harris 110	Henke
Johnson 90	Jolly	Kratky	Kuessner	Lampe
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Whorton	Witte	Yaeger	Young	Zweifel

PRESENT: 015

Bland	Bowman	Brooks	Brown 50	Curls
Dougherty	El-Amin	Haywood	Hoskins	Hubbard
Hughes	Johnson 61	Rucker	Walton	Wright-Jones

ABSENT WITH LEAVE: 005

Boykins	LeVota	Marsh	Spreng	Wildberger
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VACANCIES: 001

On motion of Representative Johnson (47), **CCR SS SCS HCS HB 58, as amended**, was adopted by the following vote:

AYES: 121

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bowman	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Deeken	Dempsey	Denison	Dixon	Donnelly
Emery	Faith	Fares	Fisher	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
Lowe 44	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Parson	Pearce	Phillips	Pollock
Portwood	Quinn	Rector	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Self	Shoemyer	Skaggs
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Storch	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright-Jones	Yaeger	Young	Zweifel
Mr Speaker				

NOES: 020

Bean	Day	Dethrow	Dusenberg	Ervin
Flook	Franz	Kraus	Loehner	Myers
Parker	Pratt	Roark	Schneider	Selby
Silvey	Wells	Whorton	Wright 159	Yates

PRESENT: 013

Bland	Brooks	Brown 50	Curls	Dougherty
El-Amin	Haywood	Hoskins	Hubbard	Hughes
Johnson 61	Oxford	Walton		

ABSENT WITH LEAVE: 008

Boykins	Cooper 120	Marsh	Page	Spreng
Sutherland	Swinger	Wildberger		

VACANCIES: 001

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On motion of Representative Johnson (47), **CCS SS SCS HCS HB 58** was read the third time and passed by the following vote:

AYES: 123

Aull	Avery	Baker 123	Bearden	Behnen
Bivins	Black	Bowman	Bringer	Brown 30
Bruns	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Daus	Davis	Deeken	Dempsey
Denison	Dixon	Donnelly	Dougherty	Emery
Faith	Fares	Fisher	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hunter	Ice	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Page	Parson	Pearce	Phillips	Pollock
Portwood	Quinn	Rector	Richard	Robb
Robinson	Roorda	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schoemehl	Self	Shoemyer	Skaggs	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright-Jones	Yaeger
Young	Zweifel	Mr Speaker		

NOES: 019

Day	Dethrow	Dusenberg	Ervin	Flook
Franz	Kraus	Loehner	Myers	Parker
Pratt	Roark	Schneider	Selby	Silvey
Wells	Whorton	Wright 159	Yates	

PRESENT: 011

Bland	Brooks	Brown 50	Curls	El-Amin
Haywood	Hoskins	Hubbard	Hughes	Oxford
Rucker				

ABSENT WITH LEAVE: 009

Baker 25	Bean	Boykins	Burnett	Darrough
Johnson 61	Marsh	Spreng	Walton	

VACANCIES: 001

Representative Wagner declared the bill passed.

CCR#2 HCS SCS SB 233, as amended, relating to designation of highways and bridges, was taken up by Representative Nance.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 044

Baker 25	Bland	Bowman	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Daus	Donnelly
Fraser	George	Harris 23	Harris 110	Henke
Johnson 90	Jolly	Kratky	Kuessner	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Oxford	Page	Robinson	Roorda	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Storch
Villa	Vogt	Wagner	Walsh	Whorton
Wildberger	Witte	Young	Zweifel	

PRESENT: 015

Aull	Brooks	Brown 50	Curls	Dougherty
El-Amin	Hoskins	Hubbard	Hughes	Lampe
Rucker	Swinger	Walton	Wright-Jones	Yaeger

ABSENT WITH LEAVE: 007

Boykins	Darrough	Haywood	Johnson 61	Marsh
Schaaf	Spreng			

VACANCIES: 001

1975 *Journal of the House*

On motion of Representative Nance, **CCR#2 HCS SCS SB 233, as amended**, was adopted by the following vote:

AYES: 134

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hunter	Jackson	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Robb	Robinson
Roorda	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 011

Chinn	Cunningham 86	Davis	Ervin	Icet
Roark	Schad	Skaggs	Smith 14	Wright 159
Wright-Jones				

PRESENT: 011

Bland	Brooks	Brown 50	Curls	El-Amin
Hoskins	Hubbard	Hughes	Johnson 61	Rucker
Walton				

ABSENT WITH LEAVE: 006

Bowman	Boykins	Haywood	Johnson 47	Marsh
Spreng				

VACANCIES: 001

On motion of Representative Nance, **CCS#2 HCS SCS SB 233** was truly agreed to and finally passed by the following vote:

AYES: 136

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Darrough	Daus
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hunter	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Robb	Robinson	Roorda	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Smith 118	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 012

Chinn	Cunningham 86	Davis	Ervin	Icet
Johnson 61	Roark	Schad	Skaggs	Smith 14
Wright 159	Wright-Jones			

PRESENT: 009

Brooks	Brown 50	Curls	El-Amin	Hoskins
Hubbard	Hughes	Rucker	Walton	

ABSENT WITH LEAVE: 005

Boykins	Haywood	Richard	Spreng	Wasson
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VACANCIES: 001

Representative Wagner declared the bill passed.

CCR SS SCS HCS HB 353, as amended, relating to crime, was taken up by Representative Lipke.

1977 *Journal of the House*

Representative Lager moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Richard	Roark
Robb	Ruestman	Sander	Sater	Schaaf
Schad	Schlottach	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 044

Aull	Baker 25	Bowman	Bringer	Burnett
Casey	Corcoran	Darrough	Daus	Donnelly
Fraser	George	Harris 23	Harris 110	Henke
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Page	Robinson	Roorda	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Storch
Swinger	Villa	Wagner	Walsh	Whorton
Witte	Yaeger	Young	Zweifel	

PRESENT: 016

Bland	Brooks	Brown 50	Chappelle-Nadal	Curls
Dougherty	El-Amin	Haywood	Hoskins	Hubbard
Hughes	Johnson 61	Rucker	Rupp	Walton
Wright-Jones				

ABSENT WITH LEAVE: 008

Boykins	Moore	Oxford	Rector	Schneider
Spreng	Vogt	Wildberger		

VACANCIES: 001

On motion of Representative Lipke, **CCR SS SCS HCS HB 353, as amended**, was adopted by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hunter	Icet
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schoemehl
Selby	Self	Silvey	Skaggs	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Walsh	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 008

Bland	Bowman	Dougherty	George	Shoemyer
Walton	Whorton	Wright-Jones		

PRESENT: 010

Brooks	Brown 50	Curls	El-Amin	Hoskins
Hubbard	Hughes	Johnson 61	Low 39	Oxford

ABSENT WITH LEAVE: 005

Boykins	Cooper 120	Schneider	Spreng	Wallace
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VACANCIES: 001

On motion of Representative Lipke, **CCS SS SCS HCS HB 353** was read the third time and passed by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hunter	Icet
Jackson	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schoemehl	Selby	Self	Silvey	Skaggs
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Walsh	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 007

Bland	Bowman	Dougherty	George	Shoemyer
Walton	Whorton			

PRESENT: 012

Brooks	Brown 50	Curls	El-Amin	Haywood
Hoskins	Hubbard	Hughes	Johnson 61	Low 39
Oxford	Rucker			

ABSENT WITH LEAVE: 006

Boykins	Johnson 47	Marsh	Parker	Schneider
Spreng				

VACANCIES: 001

Representative Wagner declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 009

Bland	Brooks	Brown 50	Dougherty	Haywood
Johnson 61	Rucker	Walton	Whorton	

PRESENT: 005

Curls	El-Amin	Hoskins	Hubbard	Hughes
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ABSENT WITH LEAVE: 010

Bowman	Boykins	Denison	George	Low 39
Marsh	Schneider	Spreng	Wells	Wright 137

VACANCIES: 001

CCR HCS SCS SB 500, as amended, relating to the Part C Early Intervention System, was taken up by Representative Lager.

1981 *Journal of the House*

On motion of Representative Lager, **CCR HCS SCS SB 500, as amended**, was adopted by the following vote:

AYES: 128

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Brown 30	Bruns
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 110
Henke	Hobbs	Hunter	Ice	Jackson
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
Liese	Lipke	Loehner	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 018

Bland	Bringer	Brooks	Burnett	Daus
Dougherty	George	Harris 23	Haywood	Johnson 61
Johnson 90	LeVota	Low 39	Lowe 44	Oxford
Walsh	Walton	Young		

PRESENT: 008

Baker 25	Bowman	Brown 50	Curls	El-Amin
Hoskins	Hubbard	Hughes		

ABSENT WITH LEAVE: 008

Boykins	Cooper 155	Johnson 47	Parker	Rucker
Schneider	Spreng	Sutherland		

VACANCIES: 001

On motion of Representative Lager, **CCS HCS SCS SB 500** was truly agreed to and finally passed by the following vote:

AYES: 128

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Brown 30
Bruns	Byrd	Casey	Chinn	Chappelle-Nadal
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 110	Hobbs	Hunter	Ice
Jackson	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Lager	Lampe	Lembke
Liese	Lipke	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Selby	Self
Shoemyer	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 021

Bland	Bringer	Brooks	Burnett	Daus
Dougherty	George	Harris 23	Haywood	Henke
Hughes	Johnson 61	Johnson 90	Kuessner	LeVota
Low 39	Lowe 44	Oxford	Skaggs	Walsh
Young				

PRESENT: 007

Bowman	Brown 50	Curls	El-Amin	Hoskins
Hubbard	Walton			

ABSENT WITH LEAVE: 006

Boykins	Johnson 47	Marsh	Rucker	Schneider
Spreng				

VACANCIES: 001

Representative Wagner declared the bill passed.

1983 *Journal of the House*

The emergency clause was defeated by the following vote:

AYES: 098

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Icey	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 057

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hughes	Johnson 61
Johnson 90	Jolly	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meiners	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Storch
Villa	Vogt	Wagner	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 005

Hoskins	Hubbard	Kratky	Meadows	Swinger
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ABSENT WITH LEAVE: 002

Boykins	Spreng
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VACANCIES: 001

Representative Behnen assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

CCR SS HCS#2 HB 568, as amended, relating to protection of children, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **CCR SS HCS#2 HB 568, as amended**, was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Daus	Davis	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hunter
Icet	Jackson	Johnson 47	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Ruestman	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Mr Speaker		

NOES: 001

Franz

PRESENT: 015

Bland	Bowman	Brooks	Brown 50	Curls
Darrough	El-Amin	Haywood	Hoskins	Hubbard
Hughes	Johnson 61	Rucker	Walton	Zweifel

ABSENT WITH LEAVE: 008

Boykins	Cooper 120	Cooper 155	Day	Dougherty
Low 39	Rupp	Spreng		

VACANCIES: 001

1985 *Journal of the House*

On motion of Representative Stevenson, **CCS SS HCS#2 HB 568** was read the third time and passed by the following vote:

AYES: 140

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hunter	Ice	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yaeger	Yates	Young	Mr Speaker

NOES: 000

PRESENT: 016

Bland	Bowman	Brooks	Brown 50	Curls
Darrough	El-Amin	Franz	Haywood	Hoskins
Hubbard	Hughes	Johnson 61	Walton	Wright-Jones
Zweifel				

ABSENT WITH LEAVE: 006

Boykins	Cooper 120	Cooper 155	Marsh	Rupp
Spreng				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR HCS SCS SBs 420 & 344, as amended, relating to judicial procedure and personnel, was taken up by Representative Byrd.

On motion of Representative Byrd, **CCR HCS SCS SBs 420 & 344, as amended**, was adopted by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hubbard	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 001

Lembke

PRESENT: 006

Brooks	Brown 50	Curls	El-Amin	Hoskins
Walton				

ABSENT WITH LEAVE: 005

Bowman	Boykins	Dougherty	Parker	Rupp
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VACANCIES: 001

1987 *Journal of the House*

On motion of Representative Byrd, **CCS HCS SCS SBs 420 & 344** was truly agreed to and finally passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bowman	Bringer	Brown 30	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hubbard	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 001

Lembke

PRESENT: 006

Brooks	Brown 50	El-Amin	Haywood	Hoskins
Walton				

ABSENT WITH LEAVE: 005

Boykins	Curls	Dougherty	Parker	Rupp
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VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

CCR SCS HCS HB 297, relating to school accountability report cards, was taken up by Representative Pearce.

On motion of Representative Pearce, **CCR SCS HCS HB 297** was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 70
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 003

Cunningham 86	St. Onge	Whorton
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PRESENT: 010

Brooks	Brown 50	Curls	El-Amin	Haywood
Hoskins	Hubbard	Johnson 61	Oxford	Walton

ABSENT WITH LEAVE: 006

Bowman	Boykins	Corcoran	Parker	Rupp
Wright 159				

VACANCIES: 001

On motion of Representative Pearce, **CCS SCS HCS HB 297** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parson	Pearce	Phillips
Pollock	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 003

Cunningham 86	St. Onge	Whorton
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PRESENT: 007

Brooks	Curis	El-Amin	Hoskins	Hubbard
Johnson 61	Walton			

ABSENT WITH LEAVE: 006

Bowman	Boykins	Corcoran	Parker	Portwood
Rupp				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Representative Dempsey moved that Rule 93 be suspended.

Which motion was adopted by the following vote:

AYES: 101

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Chinn
Chappelle-Nadal	Cooper 155	Cooper 158	Cunningham 86	Darrough
Day	Deeken	Dempsey	Denison	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Harris 23	Haywood	Henke	Hobbs
Hughes	Johnson 47	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
LeVota	Liese	Loehner	Lowe 44	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Myers	Nieves	Parson	Pearce	Phillips
Portwood	Quinn	Rector	Robb	Robinson
Roorda	Rucker	Ruestman	Salva	Sater
Schaaf	Schad	Schlottach	Schoemehl	Silvey
Smith 118	Spreng	Stefanick	St. Onge	Sutherland
Swinger	Tilley	Villa	Wallace	Walsh
Wasson	Weter	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Mr Speaker				

NOES: 038

Cooper 120	Cunningham 145	Daus	Davis	Dethrow
Donnelly	Fraser	George	Harris 110	Ice
Jackson	Johnson 90	Jolly	Lembke	Lipke
Low 39	Marsh	Muschany	Nolte	Page
Pratt	Richard	Roark	Sander	Selby
Self	Shoemyer	Skaggs	Smith 14	Stevenson
Storch	Threlkeld	Vogt	Wells	Whorton
Wilson 119	Wright 137	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 023

Bland	Bowman	Boykins	Brooks	Brown 50
Casey	Corcoran	Curls	El-Amin	Hoskins
Hubbard	Hunter	Johnson 61	Nance	Oxford
Parker	Pollock	Rupp	Schneider	Viebrock
Wagner	Walton	Wildberger		

VACANCIES: 001

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS#2 HB 232, relating to patient health care records, was taken up by Representative Portwood.

1991 *Journal of the House*

On motion of Representative Portwood, **SCS HCS#2 HB 232** was adopted by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Henke	Hobbs
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 004

Brooks	El-Amin	Haywood	Hoskins
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ABSENT WITH LEAVE: 009

Bowman	Boykins	Brown 50	Corcoran	Curls
Hubbard	Johnson 61	Wagner	Walton	

VACANCIES: 001

On motion of Representative Portwood, **SCS HCS#2 HB 232** was truly agreed to and finally passed by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 003

Brooks	El-Amin	Hoskins
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ABSENT WITH LEAVE: 011

Bowman	Boykins	Brown 50	Corcoran	Curls
Hubbard	Johnson 61	Schneider	Wagner	Walton
Wilson 130				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

Speaker Jetton resumed the Chair.

SCS HB 229, relating to homestead property tax exemption, was taken up by Representative Portwood.

On motion of Representative Portwood, **SCS HB 229** was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Rucker	Ruestman	Rupp	Salva
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 005

Brooks	Curls	El-Amin	Hoskins	Walton
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ABSENT WITH LEAVE: 009

Bowman	Boykins	Brown 50	Corcoran	Hubbard
Johnson 61	Sander	Wagner	Wilson 130	

VACANCIES: 001

On motion of Representative Portwood, **SCS HB 229** was truly agreed to and finally passed by the following vote:

AYES: 140

Avery	Baker 25	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parson	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Weter	Whorton	Wildberger
Wilson 119	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 000

PRESENT: 005

Brooks	Curls	Haywood	Hoskins	Walton
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ABSENT WITH LEAVE: 017

Aull	Bowman	Boykins	Brown 50	Chinn
Corcoran	El-Amin	Hubbard	Kratky	Low 39
Meiners	Parker	Pearce	Wagner	Wells
Wilson 130	Young			

VACANCIES: 001

Speaker Jetton declared the bill passed.

SCS HCS HB 443, relating to the Public School Retirement System, was taken up by Representative Sander.

On motion of Representative Sander, **SCS HCS HB 443** was adopted by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hughes	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 001

Wildberger

PRESENT: 007

Bowman	Brooks	Curls	El-Amin	Haywood
Hoskins	Walton			

ABSENT WITH LEAVE: 009

Boykins	Brown 50	Hubbard	Hunter	Kelly
Roorda	Swinger	Wagner	Walsh	

VACANCIES: 001

On motion of Representative Sander, **SCS HCS HB 443** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hughes
Hunter	Iceet	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Wildberger

PRESENT: 005

Bowman	Brooks	Curls	Hoskins	Walton
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ABSENT WITH LEAVE: 005

Boykins	Hubbard	Kelly	Meiners	Wagner
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VACANCIES: 001

Speaker Jetton declared the bill passed.

SS HB 116, as amended, relating to the rights of persons with service dogs, was taken up by Representative Deeken.

1997 *Journal of the House*

On motion of Representative Deeken, **SS HB 116, as amended**, was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 70
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 004

Davis	Johnson 61	Rector	Roark
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PRESENT: 006

Bowman	Brooks	Curls	El-Amin	Hoskins
Walton				

ABSENT WITH LEAVE: 006

Baker 25	Boykins	Fares	Haywood	Hubbard
Wagner				

VACANCIES: 001

On motion of Representative Deeken, **SS HB 116, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Darrough	Daus	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Henke	Hobbs
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 004

Davis	Emery	Rector	Roark
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PRESENT: 007

Bowman	Brooks	Curls	El-Amin	Haywood
Hoskins	Walton			

ABSENT WITH LEAVE: 004

Boykins	Hubbard	Muschany	Wagner
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VACANCIES: 001

Speaker Jetton declared the bill passed.

1999 *Journal of the House*

The emergency clause was adopted by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Burnett
Byrd	Casey	Chinn	Chappelle-Nadal	Cooper 120
Cooper 155	Cooper 158	Corcoran	Cunningham 145	Cunningham 86
Darrough	Daus	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Ervin	Faith	Fares	Fisher
Flook	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Richard	Robb	Robinson
Roorda	Rucker	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 006

Davis	Emery	Franz	LeVota	Rector
Roark				

PRESENT: 009

Bowman	Brooks	Curls	El-Amin	Henke
Hoskins	Hubbard	Johnson 61	Walton	

ABSENT WITH LEAVE: 002

Boykins	Ruestman
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VACANCIES: 001

HCS HB 824, with Senate Amendment No. 1, relating to environmental regulations, was taken up by Representative Hobbs.

On motion of Representative Hobbs, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 009

Bowman	Brooks	Brown 50	Curls	El-Amin
Hoskins	Hubbard	Johnson 61	Walton	

ABSENT WITH LEAVE: 006

Boykins	Deeken	Flook	Kelly	Marsh
McGhee				

VACANCIES: 001

2001 *Journal of the House*

On motion of Representative Hobbs, **HCS HB 824, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 001

Selby

PRESENT: 008

Bowman	Brooks	Brown 50	Curls	El-Amin
Hoskins	Hubbard	Walton		

ABSENT WITH LEAVE: 002

Boykins Bruns

VACANCIES: 001

Speaker Jetton declared the bill passed.

SS SCS HCS HBs 500 & 533, relating to transfer of employer accounts, was taken up by Representative Faith.

On motion of Representative Faith, **SS SCS HCS HBs 500 & 533** was adopted by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Henke	Hobbs
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Oxford	Page	Parker	Parson	Pearce
Phillips	Pollock	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 003

Bean	Selby	Whorton
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PRESENT: 008

Bowman	Brooks	Brown 50	Curls	El-Amin
Hoskins	Hubbard	Walton		

ABSENT WITH LEAVE: 004

Boykins	Haywood	Portwood	Wildberger
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VACANCIES: 001

2003 *Journal of the House*

On motion of Representative Faith, **SS SCS HCS HBs 500 & 533** was truly agreed to and finally passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hughes	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Pratt	Quinn	Rector	Richard
Roark	Robb	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 002

Selby	Whorton
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PRESENT: 008

Bowman	Brooks	Brown 50	Curls	El-Amin
Hoskins	Liese	Walton		

ABSENT WITH LEAVE: 009

Boykins	Corcoran	Henke	Hubbard	Portwood
Robinson	Spreng	Wildberger	Wright 137	

VACANCIES: 001

Speaker Jetton declared the bill passed.

Speaker Pro Tem Bearden resumed the Chair.

HCS HB 388, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to insurance compliance audits, was taken up by Representative Yates.

On motion of Representative Yates, the House concurred in **Senate Amendment No. 1 and Senate Amendment No. 2** by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 23	Harris 110	Hobbs	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yates	Young	Zweifel	Mr Speaker	

NOES: 006

Burnett	Hughes	Jolly	Low 39	Lowe 44
Selby				

PRESENT: 011

Bowman	Brooks	Brown 50	Curls	El-Amin
George	Haywood	Hoskins	Hubbard	Oxford
Walton				

ABSENT WITH LEAVE: 006

Boykins	Henke	Rupp	Vogt	Wildberger
Yaeger				

VACANCIES: 001

2005 *Journal of the House*

On motion of Representative Yates, **HCS HB 388, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Ruestman	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 008

Burnett	Hughes	Jolly	Low 39	Lowe 44
Rucker	Selby	Wildberger		

PRESENT: 010

Bowman	Brooks	Brown 50	Curls	El-Amin
Haywood	Hoskins	Hubbard	Oxford	Walton

ABSENT WITH LEAVE: 006

Boykins	Deeken	Rupp	Spreng	Vogt
Wright-Jones				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SS SCS HB 617, relating to watershed districts, was taken up by Representative Kelly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 049

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Corcoran	Daus	Donnelly	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hughes	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Whorton	Wildberger
Witte	Yaeger	Young	Zweifel	

PRESENT: 012

Bowman	Brooks	Brown 50	Chappelle-Nadal	Curls
Dougherty	El-Amin	Hoskins	Hubbard	Johnson 61
Walton	Wright-Jones			

ABSENT WITH LEAVE: 005

Boykins	Darrough	Rupp	Salva	Wright 137
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VACANCIES: 001

On motion of Representative Kelly, **SS SCS HB 617** was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Henke	Hobbs	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 002

Corcoran	Self
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PRESENT: 011

Bowman	Brooks	Brown 50	Curls	El-Amin
Haywood	Hoskins	Hubbard	LeVota	Walton
Wright-Jones				

ABSENT WITH LEAVE: 005

Bland	Boykins	Deeken	Rupp	Whorton
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VACANCIES: 001

On motion of Representative Kelly, **SS SCS HB 617** was truly agreed to and finally passed by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Byrd	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Hobbs	Hughes	Hunter	Ice
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Oxford	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Salva
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 002

Henke	Wildberger
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PRESENT: 010

Bowman	Brooks	Brown 50	Chappelle-Nadal	Curls
El-Amin	Hoskins	Hubbard	LeVota	Walton

ABSENT WITH LEAVE: 006

Boykins	Burnett	Donnelly	Haywood	Rupp
Wright-Jones				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SCS HB 688, relating to judicial procedures, was taken up by Representative Byrd.

Representative Dempsey moved the previous question.

2009 *Journal of the House*

Which motion was adopted by the following vote:

AYES: 096

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Icey	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 049

Aull	Baker 25	Bringer	Burnett	Casey
Corcoran	Darrough	Daus	Donnelly	Fraser
George	Harris 23	Harris 110	Haywood	Henke
Hughes	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Schoemehl	Selby	Shoemyer
Skaggs	Spreng	Storch	Swinger	Villa
Vogt	Wagner	Walsh	Whorton	Wildberger
Witte	Yaeger	Young	Zweifel	

PRESENT: 013

Bland	Bowman	Brooks	Brown 50	Chappelle-Nadal
Curls	Dougherty	El-Amin	Hoskins	Hubbard
Johnson 61	Walton	Wright-Jones		

ABSENT WITH LEAVE: 004

Boykins	Marsh	Rupp	Schneider
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VACANCIES: 001

On motion of Representative Byrd, **SCS HB 688** was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Rucker
Ruestman	Sander	Sater	Schaaf	Schad
Schlottach	Schoemehl	Self	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 003

El-Amin	Selby	Shoemyer
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PRESENT: 007

Bowman	Brooks	Brown 50	Curls	Hoskins
Hubbard	Walton			

ABSENT WITH LEAVE: 010

Boykins	Casey	Johnson 90	Marsh	Roorda
Rupp	Salva	Schneider	Wildberger	Witte

VACANCIES: 001

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On motion of Representative Byrd, **SCS HB 688** was truly agreed to and finally passed by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	George	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 61	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Sander	Sater	Schaaf
Schad	Schlottach	Schoemehl	Self	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 003

Selby	Shoemyer	Wildberger
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PRESENT: 007

Bowman	Brown 50	Curls	El-Amin	Hoskins
Hubbard	Walton			

ABSENT WITH LEAVE: 008

Boykins	Brooks	Fraser	Kuessner	Marsh
Rupp	Salva	Schneider		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

SS#2 SCS HCS HB 972, as amended, relating to intoxication-related offenses, was taken up by Representative Jetton.

Representative Jetton moved that **SS#2 SCS HCS HB 972, as amended**, be adopted.

Representative Selby made a substitute motion that the House refuse to recede from its position on **SS#2 SCS HCS HB 972, as amended**, and grant the Senate a conference to exceed the differences to add a provision which would prohibit a person from engaging in somatic cell nuclear transfer.

Representative Stevenson raised a point of order that the substitute motion was out of order and goes beyond the scope of the subject matter of the bill.

The Chair ruled the point of order well taken.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schad	Schlottach	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Vogt	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 034

Aull	Baker 25	Bringer	Burnett	Corcoran
Daus	Donnelly	Fraser	Henke	Johnson 90
Jolly	Kuessner	LeVota	Liese	Low 39
Lowe 44	Oxford	Page	Robinson	Salva
Schoemehl	Selby	Shoemyer	Spreng	Storch
Swinger	Villa	Wagner	Walsh	Whorton
Witte	Yaeger	Young	Zweifel	

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PRESENT: 024

Bland	Bowman	Brooks	Brown 50	Casey
Chappelle-Nadal	Curls	Darrough	Dougherty	Harris 110
Haywood	Hoskins	Hubbard	Hughes	Johnson 61
Lampe	Meadows	Meiners	Roorda	Rucker
Skaggs	Walton	Wildberger	Wright-Jones	

ABSENT WITH LEAVE: 007

Boykins	El-Amin	George	Harris 23	Kratky
Schaaf	Schneider			

VACANCIES: 001

On motion of Representative Jetton, **SS#2 SCS HCS HB 972, as amended**, was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 90	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wagner	Wallace	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 011

Daus	Dougherty	Fraser	George	Johnson 61
Low 39	Lowe 44	Smith 118	Villa	Vogt
Young				

PRESENT: 012

Bowman	Brooks	Brown 50	Burnett	Curls
El-Amin	Hoskins	Hubbard	Oxford	Spreng
Walsh	Walton			

ABSENT WITH LEAVE: 001

Boykins

VACANCIES: 001

On motion of Representative Jetton, **SS#2 SCS HCS HB 972, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Aull	Baker 25	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Bruns	Byrd	Casey	Chinn
Cooper 120	Cooper 155	Cooper 158	Corcoran	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dusenberry
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 23	Harris 110	Henke	Hobbs	Hughes
Icet	Jackson	Johnson 47	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McGhee	Meadows	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Wagner
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Zweifel
Mr Speaker				

NOES: 008

Avery	Daus	Johnson 61	Low 39	Lowe 44
Villa	Vogt	Young		

PRESENT: 015

Bowman	Brooks	Brown 50	Burnett	Chappelle-Nadal
Curls	Dougherty	El-Amin	George	Hoskins
Hubbard	Oxford	Spreng	Walsh	Walton

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ABSENT WITH LEAVE: 008

Boykins	Darrough	Haywood	Hunter	Meiners
Salva	Smith 118	Wallace		

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bringer	Brown 30
Bruns	Byrd	Casey	Chinn	Cooper 120
Cooper 155	Cooper 158	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	Goodman	Guest	Harris 23	Harris 110
Henke	Hobbs	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Smith 14	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Wagner	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Yates
Zweifel	Mr Speaker			

NOES: 018

Bland	Chappelle-Nadal	Corcoran	Curls	Daus
Dougherty	Haywood	Hughes	Johnson 61	Low 39
Lowe 44	Skaggs	Spreng	Villa	Vogt
Whorton	Yaeger	Young		

PRESENT: 013

Baker 25	Bowman	Brooks	Brown 50	Burnett
Darrough	El-Amin	George	Hoskins	Hubbard
Oxford	Walsh	Walton		

ABSENT WITH LEAVE: 004

Boykins Smith 118 Wallace Wright-Jones

VACANCIES: 001

SS SCS HCS HB 186, as amended, relating to local government, was taken up by Representative Emery.

On motion of Representative Emery, **SS SCS HCS HB 186, as amended**, was adopted by the following vote:

AYES: 128

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Darrough	Daus	Day
Deeken	Dempsey	Denison	Dixon	Donnelly
Dougherty	Emery	Faith	Fares	Fisher
Franz	Fraser	George	Goodman	Guest
Harris 110	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Quinn
Rector	Richard	Robb	Robinson	Ruestman
Rupp	Salva	Sander	Sater	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Walsh	Wasson	Wells
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Young	Zweifel	Mr Speaker		

NOES: 014

Casey	Davis	Dethrow	Dusenberg	Ervin
Flook	Harris 23	Johnson 90	Meadows	Page
Pratt	Roark	Roorda	Yates	

PRESENT: 015

Bland	Bowman	Brooks	Brown 50	Curls
El-Amin	Haywood	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Oxford	Rucker	Walton

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ABSENT WITH LEAVE: 005

Boykins	Schaaf	St. Onge	Wallace	Weter
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VACANCIES: 001

On motion of Representative Emery, **SS SCS HCS HB 186, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 132

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Day	Deeken	Dempsey	Denison	Dixon
Donnelly	Dougherty	Emery	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 110	Hobbs	Ice
Jackson	Johnson 47	Johnson 61	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Pratt	Quinn	Rector	Richard	Robb
Robinson	Ruestman	Rupp	Salva	Sander
Sater	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wagner
Walsh	Wasson	Wells	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 013

Bland	Davis	Dethrow	Dusenberg	Ervin
Harris 23	Haywood	Henke	Johnson 90	Meadows
Page	Roark	Roorda		

PRESENT: 011

Bowman	Brooks	Brown 50	Curls	El-Amin
Hoskins	Hubbard	Hughes	Oxford	Rucker
Walton				

ABSENT WITH LEAVE: 006

Boykins	Hunter	Portwood	Schaaf	Wallace
Weter				

VACANCIES: 001

Speaker Pro Tem Bearden declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 125

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Darrough	Daus	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Emery	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 110	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kraus	Kuessner	Lager	Lampe	Lembke
Liese	Lipke	Loehner	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Quinn	Rector	Richard	Robb	Robinson
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Walsh
Wasson	Wells	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 014

Baker 25	Corcoran	Davis	Dusenberg	Ervin
Harris 23	Johnson 90	LeVota	Page	Pratt
Roark	Roorda	Skaggs	Whorton	

PRESENT: 018

Bowman	Brooks	Brown 50	Chappelle-Nadal	Curls
El-Amin	George	Henke	Hoskins	Hubbard
Hughes	Johnson 61	Low 39	Lowe 44	Meadows
Oxford	Rucker	Walton		

ABSENT WITH LEAVE: 005

Boykins	Haywood	Kratky	Wallace	Weter
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VACANCIES: 001

Speaker Jetton resumed the Chair.

THIRD READING OF SENATE BILLS

SB 274, relating to travel clubs, was taken up by Representative Wasson.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wasson	Wells	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 048

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fraser	George
Harris 23	Harris 110	Haywood	Henke	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Oxford	Page	Robinson	Salva	Schoemehl
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Walsh	Whorton	Witte
Yaeger	Young	Zweifel		

PRESENT: 012

Brooks	Brown 50	Chappelle-Nadal	Dougherty	Hoskins
Hubbard	Meadows	Meiners	Roorda	Rucker
Walton	Wright-Jones			

ABSENT WITH LEAVE: 008

Boykins	Hunter	Parker	Vogt	Wagner
Wallace	Weter	Wildberger		

VACANCIES: 001

On motion of Representative Wasson, **SB 274** was truly agreed to and finally passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Bivins	Black	Bland	Bowman
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 86	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hughes
Hunter	Icet	Jackson	Johnson 47	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 003

Daus	Johnson 61	Whorton
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PRESENT: 007

Brooks	Brown 50	Curls	El-Amin	Hoskins
Hubbard	Walton			

ABSENT WITH LEAVE: 011

Behnen	Boykins	Cunningham 145	Darrough	Page
Parker	Selby	Vogt	Wagner	Weter
Wildberger				

VACANCIES: 001

Speaker Jetton declared the bill passed.

SS SCS SB 346, relating to watercraft outfitters, was taken up by Representative Ruestman.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Whorton	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 044

Baker 25	Bland	Bowman	Bringer	Burnett
Corcoran	Curls	Darrrough	Daus	Donnelly
Dougherty	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hubbard	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	LeVota	Liese
Low 39	Lowe 44	Meadows	Page	Robinson
Roorda	Rucker	Salva	Selby	Shoemyer
Skaggs	Spreng	Swinger	Villa	Walsh
Walton	Witte	Young	Zweifel	

PRESENT: 015

Aull	Brooks	Brown 50	Casey	Chappelle-Nadal
El-Amin	Hoskins	Hughes	Lampe	Meiners
Oxford	Schoemehl	Storch	Wright-Jones	Yaeger

ABSENT WITH LEAVE: 009

Boykins	Johnson 47	Myers	Parker	Parson
Vogt	Wagner	Weter	Wildberger	

VACANCIES: 001

On motion of Representative Ruestman, **SS SCS SB 346** was truly agreed to and finally passed by the following vote:

AYES: 133

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Dempsey	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hunter	Ice	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Page	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Storch	Sutherland	Swinger	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 011

Bland	Brown 50	Burnett	Daus	George
Haywood	Hughes	Johnson 61	LeVota	Wright-Jones
Young				

PRESENT: 008

Bowman	Brooks	Curls	El-Amin	Hoskins
Hubbard	Oxford	Walton		

ABSENT WITH LEAVE: 010

Boykins	Denison	Jackson	Johnson 47	Myers
Parker	Vogt	Wagner	Weter	Wildberger

VACANCIES: 001

Speaker Jetton declared the bill passed.

HCS SS SCS SBs 37, 322, 78, 351 & 424, relating to alcohol-related offenses, was taken up by Representative Stevenson.

Representative Stevenson offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill Nos. 37, 322, 78, 351 & 424, Section 302.060, Page 3, Line 35, by deleting the opening bracket “[” before the word “where” and by re-inserting said opening bracket after the word “where”; and

Further amend said bill, Page 3, Section 302.309, by deleting said section; and

Further amend said bill, Page 7, bracketed Section 302.309, by deleting said section; and

Further amend said bill, Page 12, Section 565.022, by deleting said section; and

Further amend said bill, Page 12, Section 565.022, Line 10, by inserting after said line the following:

“565.024. 1. A person commits the crime of involuntary manslaughter in the first degree if he:

(1) Recklessly causes the death of another person; or

(2) While in an intoxicated condition operates a motor vehicle in this state and, when so operating, acts with criminal negligence to cause the death of any person.

2. **Except as provided in subsections 3 and 4 of this section**, involuntary manslaughter in the first degree is a class C felony.

3. **A person commits the crime of involuntary manslaughter in the first degree if he or she, while in an intoxicated condition operates a motor vehicle in this state, and, when so operating, acts with criminal negligence to:**

(1) **Cause the death of any person not a passenger in the vehicle operated by the defendant, including the death of an individual that results from the defendant's vehicle leaving a highway, as defined by section 301.010, RSMo, or the highway's right-of-way; or**

(2) **Cause the death of two or more persons; or**

(3) **Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths by weight of alcohol in such person's blood.**

4. **Involuntary manslaughter in the first degree under subdivisions (1), (2), or (3) of subsection 3 of this section is a class B felony. A second or subsequent violation of subdivision (3) of subsection 3 of this section is a class A felony. For any violation of subsection 3 of this section, the minimum prison term which the defendant must serve shall be eighty-five percent of his or her sentence.**

5. A person commits the crime of involuntary manslaughter in the second degree if he acts with criminal negligence to cause the death of any person.

[4.] 6. Involuntary manslaughter in the second degree is a class D felony.”; and

Further amend said bill, Page 12, Section 568.050, Line 17, by deleting the following: “**565.022**”; and

Further amend said bill, Page 13, Section 568.050, Line 25, by inserting after said line the following:

“577.001. 1. **As used in this chapter, the term "court" means any circuit, associate circuit, or municipal court, including traffic court, but not any juvenile court or drug court.**

2. As used in this chapter, the term "drive", "driving", "operates" or "operating" means physically driving or operating a motor vehicle.

[2.] 3. As used in this chapter, a person is in an "intoxicated condition" when he is under the influence of alcohol, a controlled substance, or drug, or any combination thereof.

[3.] 4. As used in this chapter, the term "law enforcement officer" or "arresting officer" includes the definition of law enforcement officer in subdivision (17) of section 556.061, RSMo, and military policemen conducting traffic enforcement operations on a federal military installation under military jurisdiction in the state of Missouri.

[4.] 5. As used in this chapter, "substance abuse traffic offender program" means a program certified by the division of alcohol and drug abuse of the department of mental health to provide education or rehabilitation services pursuant to a professional assessment screening to identify the individual needs of the person who has been referred to the program as the result of an alcohol or drug related traffic offense. Successful completion of such a program includes

participation in any education or rehabilitation program required to meet the needs identified in the assessment screening. The assignment recommendations based upon such assessment shall be subject to judicial review as provided in subsection 7 of section 577.041.”; and

Further amend said bill, Page 13, Section 577.023, Lines 4 through 7, by deleting said lines and by inserting in lieu thereof the following:

“guilty to or has been found guilty of involuntary manslaughter under section 565.024, RSMo; murder in the second degree under section 565.021, RSMo, where the underlying felony is an intoxication-related offense; assault in the”; and

Further amend said bill, Page 13, Section 577.023, Lines 15 and 16, by deleting said lines and by inserting in lieu thereof the following:

“separate occasions, involuntary manslaughter under section 565.024, RSMo,”; and

Further amend said bill, Page 13, Section 577.023, Lines 21 and 22, by deleting said lines and by inserting in lieu thereof the following:

“manslaughter under section 565.024, RSMo, assault in the second degree under”; and

Further amend said bill, Page 13, Section 577.023, Lines 27 through 31, by deleting said lines and by inserting in lieu thereof the following:

“excessive blood alcohol content, involuntary manslaughter pursuant to [subdivision (2) of subsection 1 of] section 565.024, RSMo, murder in the second degree pursuant to section 565.021, RSMo, where the underlying felony is an intoxication-related offense, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, RSMo, assault of a law”; and

Further amend said bill, Page 14, Section 577.023, Line 41, by deleting said line and by inserting in lieu thereof the following:

“manslaughter pursuant to [subsection 1 of] section 565.024, RSMo, assault in the second degree”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater

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Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 041

Bland	Bowman	Burnett	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fraser
George	Harris 23	Harris 110	Haywood	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	LeVota
Liese	Low 39	Lowe 44	Robinson	Salva
Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wagner	Walsh
Whorton	Wildberger	Witte	Yaeger	Young
Zweifel				

PRESENT: 022

Aull	Baker 25	Bringer	Brooks	Brown 50
Casey	Chappelle-Nadal	Dougherty	Henke	Hoskins
Hubbard	Hughes	Lampe	Meadows	Meiners
Oxford	Page	Roorda	Rucker	Schoemehl
Walton	Wright-Jones			

ABSENT WITH LEAVE: 004

Boykins	Myers	Parker	Weter
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VACANCIES: 001

On motion of Representative Stevenson, **House Amendment No. 1** was adopted.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson

St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 047

Aull	Baker 25	Bland	Bowman	Bringer
Burnett	Corcoran	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hughes	Johnson 61	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Skaggs	Sprenge	Storch	Swinger
Villa	Vogt	Walsh	Whorton	Witte
Young	Zweifel			

PRESENT: 016

Brooks	Brown 50	Casey	Chappelle-Nadal	Curls
Dougherty	Hoskins	Hubbard	Meadows	Meiners
Oxford	Wagner	Walton	Wildberger	Wright-Jones
Yaeger				

ABSENT WITH LEAVE: 004

Avery	Boykins	Parker	Weter
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VACANCIES: 001

On motion of Representative Stevenson, **HCS SS SCS SBs 37, 322, 78, 351 & 424, as amended**, was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer

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Silvey	Skaggs	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 013

Bowman	Brooks	Brown 50	Burnett	Curls
El-Amin	George	Hoskins	Hubbard	Johnson 61
Lowe 44	Spreng	Walton		

ABSENT WITH LEAVE: 005

Boykins	Corcoran	Parker	Salva	Weter
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VACANCIES: 001

On motion of Representative Stevenson, **HCS SS SCS SBs 37, 322, 78, 351 & 424, as amended**, was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Fraser	Goodman	Guest
Harris 23	Harris 110	Haywood	Henke	Hobbs
Hoskins	Hughes	Hunter	Icet	Jackson
Johnson 47	Johnson 90	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Low 39	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Silvey	Skaggs	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Wells	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 000

PRESENT: 012

Bowman	Brooks	Brown 50	Burnett	Curls
El-Amin	George	Hubbard	Johnson 61	Lowe 44
Spreng	Walton			

ABSENT WITH LEAVE: 005

Boykins	Loehner	Parker	Shoemyer	Weter
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VACANCIES: 001

Speaker Jetton declared the bill passed.

SENATE CONCURRENT RESOLUTIONS

SCR 15, relating to the Medicaid Reform Commission, was taken up by Representative Stefanick.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Darrough	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Faith	Fares	Fisher	Flook	Franz
Goodman	Hobbs	Hunter	Icet	Jackson
Johnson 47	Jones	Kelly	Kingery	Kratky
Kraus	Lager	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Skaggs	Smith 14	Smith 118	Stefanick	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 037

Baker 25	Bland	Bowman	Bringer	Brown 50
Burnett	Corcoran	Daus	Donnelly	Fraser
Harris 23	Harris 110	Haywood	Henke	Johnson 90
Jolly	Kuessner	LeVota	Liese	Low 39
Lowe 44	Meadows	Page	Robinson	Roorda

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Rucker	Salva	Selby	Shoemyer	Spreng
Swinger	Villa	Wagner	Walsh	Walton
Whorton	Witte			

PRESENT: 021

Aull	Brooks	Casey	Chappelle-Nadal	Curls
Dougherty	El-Amin	George	Hoskins	Hubbard
Hughes	Johnson 61	Lampe	Meiners	Oxford
Storch	Vogt	Wright-Jones	Yaeger	Young
Zweifel				

ABSENT WITH LEAVE: 010

Boykins	Cunningham 86	Ervin	Guest	Lembke
Roark	Schoemehl	Stevenson	Weter	Wildberger

VACANCIES: 001

On motion of Representative Stefanick, **SCR 15** was adopted by the following vote:

AYES: 112

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Brown 30
Bruns	Byrd	Chinn	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
Goodman	Guest	Harris 110	Hobbs	Hunter
Icet	Jackson	Johnson 47	Jolly	Jones
Kelly	Kingery	Kratky	Kraus	Kuessner
Lager	Lampe	Lipke	Loehner	Marsh
May	McGhee	Meadows	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schlottach	Schneider	Self	Silvey
Skaggs	Smith 14	Smith 118	Stefanick	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 032

Bland	Bringer	Brown 50	Burnett	Chappelle-Nadal
Darrough	Daus	Donnelly	Harris 23	Haywood
Henke	Johnson 90	LeVota	Liese	Low 39
Lowe 44	Meiners	Oxford	Rucker	Schoemehl
Selby	Shoemyer	Spreng	Villa	Vogt
Wagner	Walsh	Whorton	Wright-Jones	Yaeger
Young	Zweifel			

PRESENT: 009

Bowman	Brooks	Curls	El-Amin	George
Hoskins	Hubbard	Johnson 61	Walton	

ABSENT WITH LEAVE: 009

Boykins	Casey	Cunningham 86	Hughes	Lembke
Schad	Stevenson	Weter	Wildberger	

VACANCIES: 001

SS SCR 7, relating to the Military Research Chiropractic Center, was taken up by Representative Portwood.

Representative Behnen resumed the Chair.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 155	Cooper 158	Cunningham 145	Davis
Day	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	St. Onge	Sutherland
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

NOES: 052

Aull	Baker 25	Bland	Bowman	Bringer
Brown 50	Burnett	Casey	Corcoran	Darrough
Daus	Donnelly	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hughes	Johnson 90
Jolly	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Oxford
Page	Robinson	Roorda	Rucker	Salva
Schoemehl	Selby	Shoemyer	Skaggs	Spreng

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Storch	Swinger	Villa	Vogt	Wagner
Walsh	Walton	Whorton	Witte	Yaeger
Young	Zweifel			

PRESENT: 010

Brooks	Chappelle-Nadal	Curls	Dougherty	El-Amin
Hoskins	Hubbard	Johnson 61	Meiners	Wright-Jones

ABSENT WITH LEAVE: 007

Boykins	Cooper 120	Cunningham 86	Muschany	Stevenson
Weter	Wildberger			

VACANCIES: 001

On motion of Representative Portwood, **SS SCR 7** was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Brown 50	Bruns	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Daus	Davis
Day	Deeken	Dempsey	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Hobbs	Hughes	Hunter	Ice	Johnson 47
Johnson 90	Jolly	Jones	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Page
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Robinson	Roorda	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schlottach	Schneider	Schoemehl	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Wagner	Wallace	Walsh	Wasson	Wells
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 003

Donnelly	Selby	Vogt
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PRESENT: 012

Bowman	Brooks	Burnett	Curls	Darrough
El-Amin	Haywood	Henke	Hoskins	Hubbard
Johnson 61	Walton			

ABSENT WITH LEAVE: 009

Boykins	Cunningham 86	Denison	Jackson	Kelly
Schad	Stevenson	Weter	Wildberger	

VACANCIES: 001

Speaker Jetton resumed the Chair.

SCS SCR 6, relating to the U. S. Free Trade Agreement, was taken up by Representative Ervin.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Avery	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Johnson 47	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Parker	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Silvey	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

NOES: 049

Aull	Baker 25	Bowman	Bringer	Brown 50
Burnett	Casey	Corcoran	Darrough	Daus
Donnelly	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Oxford	Page
Robinson	Roorda	Rucker	Salva	Schoemehl

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Selby	Shoemyer	Skaggs	Spreng	Storch
Swinger	Villa	Wagner	Walton	Whorton
Witte	Yaeger	Young	Zweifel	

PRESENT: 009

Brooks	Chappelle-Nadal	Curls	Dougherty	El-Amin
Hoskins	Hubbard	Meiners	Wright-Jones	

ABSENT WITH LEAVE: 009

Baker 123	Bland	Boykins	Hughes	Rupp
Vogt	Walsh	Weter	Wildberger	

VACANCIES: 001

On motion of Representative Ervin, **SCS SCR 6** was adopted by the following vote:

AYES: 107

Avery	Bean	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Burnett	Byrd
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Harris 23	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Kratky	Kraus	Lager	Lembke	Lipke
Loehner	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 040

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Corcoran	Darrough	Daus	Fraser
George	Harris 110	Haywood	Henke	Hughes
Johnson 90	Jolly	Kuessner	Lampe	LeVota
Liese	Meadows	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby
Shoemyer	Storch	Villa	Vogt	Wagner
Whorton	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 009

Bowman	Brooks	Curls	El-Amin	Hoskins
Hubbard	Johnson 61	Low 39	Walton	

ABSENT WITH LEAVE: 006

Baker 123	Boykins	Rupp	Walsh	Weter
Wildberger				

VACANCIES: 001

THIRD READING OF SENATE BILLS - CONSENT

SB 521, as amended, relating to the Community Service Commission, was taken up by Representative Cooper (158).

On motion of Representative Cooper (158), **SB 521, as amended**, was read the third time and passed by the following vote:

AYES: 130

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Davis
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	George
Goodman	Guest	Harris 110	Henke	Hobbs
Hunter	Ice	Jackson	Johnson 47	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yates	Young	Zweifel	Mr Speaker

NOES: 018

Chappelle-Nadal	Daus	Donnelly	Fraser	Harris 23
Hughes	Johnson 90	LeVota	Low 39	Oxford
Roorda	Rucker	Schoemehl	Selby	Shoemyer
Whorton	Wildberger	Yaeger		

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PRESENT: 011

Bowman	Brooks	Brown 50	Curls	El-Amin
Haywood	Hoskins	Hubbard	Johnson 61	Walton
Wright-Jones				

ABSENT WITH LEAVE: 003

Boykins	Day	Weter
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VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 480, with House Perfecting Amendment No. 1, pending, relating to parental involvement in education, was taken up by Representative Kraus.

House Perfecting Amendment No. 1 was withdrawn.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Ice	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 039

Baker 25	Bland	Bringer	Brooks	Burnett
Corcoran	Daus	Donnelly	Dougherty	Fraser
Harris 110	Haywood	Henke	Johnson 90	Kratky
Kuessner	LeVota	Liese	Low 39	Lowe 44
Meadows	Page	Robinson	Roorda	Rucker

Salva	Selby	Shoemyer	Skaggs	Storch
Swinger	Villa	Wagner	Walsh	Walton
Whorton	Witte	Wright-Jones	Young	

PRESENT: 023

Aull	Bowman	Brown 50	Casey	Chappelle-Nadal
Curls	Darrough	El-Amin	George	Harris 23
Hoskins	Hughes	Johnson 61	Jolly	Lampe
Meiners	Oxford	Schoemehl	Spreng	Vogt
Wildberger	Yaeger	Zweifel		

ABSENT WITH LEAVE: 004

Boykins	Hubbard	Schaaf	Weter
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VACANCIES: 001

On motion of Representative Kraus, **SB 480** was truly agreed to and finally passed by the following vote:

AYES: 131

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Darrough	Davis	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hunter	Icet	Jackson	Johnson 47
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Page	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Roorda	Ruestman	Rupp	Salva	Sander
Sater	Schad	Schlottach	Schneider	Schoemehl
Selby	Self	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Wagner	Wallace	Wasson	Wells	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 137
Wright 159	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 012

Daus	Day	Donnelly	Johnson 61	May
Myers	Rucker	Stevenson	Villa	Vogt
Whorton	Wright-Jones			

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PRESENT: 013

Bowman	Brown 50	Bruns	Burnett	Curls
El-Amin	George	Hoskins	Hughes	Lowe 44
Oxford	Walsh	Walton		

ABSENT WITH LEAVE: 006

Boykins	Brooks	Hubbard	Schaaf	Shoemyer
Weter				

VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 518, relating to the Assistive Technology Trust Fund, was taken up by Representative Cooper (155).

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Ice
Jackson	Jones	Kelly	Kingery	Kraus
Lager	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Vogt
Wasson	Wells	Wilson 119	Wilson 130	Wood
Wright 137	Wright 159	Yates	Mr Speaker	

NOES: 043

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Daus	Donnelly
Dougherty	Fraser	George	Harris 110	Haywood
Henke	Johnson 90	Jolly	Kuessner	LeVota
Liese	Low 39	Lowe 44	Meadows	Oxford
Robinson	Roorda	Rucker	Salva	Selby

Shoemyer	Spreng	Storch	Swinger	Villa
Wagner	Walsh	Walton	Whorton	Witte
Yaeger	Young	Zweifel		

PRESENT: 016

Bowman	Brooks	Brown 50	Curls	Darrough
El-Amin	Hoskins	Hughes	Johnson 61	Lampe
Meiners	Page	Schoemehl	Skaggs	Wildberger
Wright-Jones				

ABSENT WITH LEAVE: 009

Boykins	Brown 30	Harris 23	Hubbard	Johnson 47
Kratky	Lembke	Wallace	Weter	

VACANCIES: 001

On motion of Representative Cooper (155), **SB 518** was truly agreed to and finally passed by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158
Corcoran	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Guest	Harris 23
Haywood	Henke	Hobbs	Hughes	Hunter
Ice	Jackson	Johnson 47	Johnson 61	Johnson 90
Jolly	Jones	Kelly	Kingery	Kratky
Kraus	Kuessner	Lager	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Oxford	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Schoemehl	Selby	Self	Shoemyer
Silvey	Skaggs	Smith 14	Smith 118	Spreng
Stefanick	Stevenson	St. Onge	Storch	Sutherland
Swinger	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wagner	Wallace	Walsh	Wasson
Wells	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

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PRESENT: 008

Bowman	Brooks	Brown 50	Curls	El-Amin
Hoskins	Hubbard	Walton		

ABSENT WITH LEAVE: 010

Bland	Boykins	Dusenberg	Goodman	Harris 110
Page	Rucker	Salva	Weter	Wright 159

VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 122, relating to the Energy Efficiency Implementation Act, was taken up by Representative Wright (137).

On motion of Representative Wright (137), **SB 122** was truly agreed to and finally passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Bivins	Black	Bland	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Chappelle-Nadal	Cooper 120	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Fraser	George	Goodman	Guest	Harris 23
Harris 110	Haywood	Henke	Hobbs	Hughes
Hunter	Ice	Jackson	Johnson 47	Johnson 61
Johnson 90	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Myers	Nance	Nieves	Nolte	Oxford
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Roorda
Rucker	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Selby	Self	Shoemyer	Silvey
Skaggs	Smith 14	Smith 118	Spreng	Stefanick
Stevenson	St. Onge	Storch	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wagner	Wallace	Walsh	Wasson	Wells
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 007

Brooks	Brown 50	Curls	El-Amin	Hoskins
Hubbard	Walton			

ABSENT WITH LEAVE: 006

Behnen	Bowman	Boykins	Cooper 155	Darrough
Weter				

VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 288, relating to a conveyance in Nodaway County, was taken up by Representative Lager.

On motion of Representative Lager, **SB 288** was truly agreed to and finally passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Bivins	Black	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Corcoran	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Haywood
Henke	Hobbs	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Oxford	Page	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Robinson	Roorda	Rucker	Ruestman
Rupp	Salva	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoemehl	Selby
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Spreng	Stefanick	Stevenson	St. Onge
Storch	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wagner	Wallace
Wasson	Wells	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 137	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel

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NOES: 000

PRESENT: 007

Bowman	Brooks	Curls	El-Amin	Hoskins
Hubbard	Walton			

ABSENT WITH LEAVE: 005

Behnen	Boykins	Walsh	Weter	Mr Speaker
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VACANCIES: 001

Speaker Jetton declared the bill passed.

SB 396, relating to jet fuel tax and air control tower funds, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **SB 396** was truly agreed to and finally passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Bringer	Brown 30	Bruns	Burnett	Byrd
Casey	Chinn	Chappelle-Nadal	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Fraser	George	Goodman	Guest
Haywood	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jolly	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Oxford	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Wasson	Wells	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 011

Corcoran	Donnelly	Harris 23	Harris 110	Henke
Hughes	Johnson 90	Nolte	Page	Whorton
Wildberger				

PRESENT: 010

Bowman	Brooks	Brown 50	Curls	El-Amin
Hoskins	Hubbard	Johnson 61	Meadows	Walton

ABSENT WITH LEAVE: 003

Boykins	Weter	Wright-Jones
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VACANCIES: 001

Speaker Jetton declared the bill passed.

SENATE CONCURRENT RESOLUTIONS

SCR 17, relating to Missouri Higher Education Savings Programs, was taken up by Representative Roark.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Chappelle-Nadal	Cooper 120	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Silvey	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Wallace	Wasson	Wells
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

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NOES: 049

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	Fraser	George	Harris 110	Haywood
Henke	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Oxford	Page
Robinson	Roorda	Rucker	Schoemehl	Selby
Shoemyer	Skaggs	Spreng	Storch	Swinger
Vogt	Wagner	Walsh	Whorton	Wildberger
Witte	Yaeger	Young	Zweifel	

PRESENT: 008

Brooks	Dougherty	El-Amin	Hoskins	Hubbard
Meiners	Walton	Wright-Jones		

ABSENT WITH LEAVE: 008

Bowman	Boykins	Brown 50	Cooper 155	Harris 23
Parson	Salva	Weter		

VACANCIES: 001

On motion of Representative Roark, **SCR 17** was adopted by the following vote:

AYES: 133

Aull	Avery	Baker 25	Baker 123	Bean
Bearden	Behnen	Bivins	Black	Bland
Brown 30	Bruns	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Dempsey	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Fraser
George	Goodman	Guest	Harris 23	Harris 110
Haywood	Henke	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jolly	Jones	Kelly
Kingery	Kratky	Kraus	Kuessner	Lager
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Ruestman	Rupp	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoemehl	Self	Shoemyer	Silvey	Skaggs
Smith 14	Smith 118	Spreng	Stefanick	Stevenson
St. Onge	Sutherland	Swinger	Threlkeld	Tilley
Viebrock	Villa	Wagner	Wallace	Walsh
Wasson	Wells	Wilson 119	Wilson 130	Witte
Wood	Wright 137	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 012

Bringer	Donnelly	Hughes	Johnson 90	Low 39
Oxford	Rucker	Selby	Storch	Vogt
Whorton	Wildberger			

PRESENT: 013

Bowman	Brooks	Brown 50	Burnett	Curls
El-Amin	Hoskins	Hubbard	Johnson 61	Lowe 44
Meadows	Roorda	Walton		

ABSENT WITH LEAVE: 004

Boykins	Corcoran	Weter	Young
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VACANCIES: 001

SCR 19, relating to the Health Care Stabilization Fund Committee, was taken up by Representative Lager.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Avery	Baker 123	Bean	Bearden	Behnen
Bivins	Black	Brown 30	Bruns	Byrd
Chinn	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Decken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Iceet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Myers	Nance	Nieves
Nolte	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sander	Sater	Schaaf	Schad	Schlottach
Schneider	Self	Silvey	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

NOES: 046

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Chappelle-Nadal	Curls	Daus	Donnelly
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Page

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Rucker	Schoemehl	Selby	Shoemyer	Skaggs
Spreng	Storch	Swinger	Villa	Wagner
Walsh	Whorton	Witte	Yaeger	Young
Zweifel				

PRESENT: 009

Bowman	Brooks	Dougherty	El-Amin	Hoskins
Hubbard	Walton	Wildberger	Wright-Jones	

ABSENT WITH LEAVE: 010

Boykins	Casey	Corcoran	Darrough	Oxford
Robinson	Roorda	Salva	Vogt	Weter

VACANCIES: 001

On motion of Representative Lager, **SCR 19** was adopted by the following vote:

AYES: 133

Aull	Avery	Baker 123	Bean	Bearden
Behnen	Bivins	Black	Bland	Brown 30
Brown 50	Bruns	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	George
Goodman	Guest	Harris 23	Harris 110	Henke
Hobbs	Hunter	Ice	Jackson	Johnson 47
Johnson 61	Johnson 90	Jones	Kelly	Kingery
Kraus	Kuessner	Lager	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Myers	Nance	Nieves	Nolte
Page	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Robinson	Rucker
Ruestman	Rupp	Salva	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoemehl
Self	Shoemyer	Silvey	Skaggs	Smith 14
Smith 118	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Wagner	Wallace	Walsh	Wasson
Wells	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 137	Wright 159	Wright-Jones
Yates	Zweifel	Mr Speaker		

NOES: 008

Bringer	Daus	Donnelly	Low 39	Oxford
Selby	Vogt	Yaeger		

PRESENT: 015

Bowman	Brooks	Burnett	Curls	El-Amin
Haywood	Hoskins	Hubbard	Hughes	Jolly
Lowe 44	Roorda	Spreng	Walton	Young

ABSENT WITH LEAVE: 006

Baker 25	Boykins	Darrough	Kratky	Lampe
Weter				

VACANCIES: 001

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 1706 - Rules

HR 1976 - Rules

HR 3297 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 71 - Rules

HB 95 - Rules

HB 123 - Rules

HB 168 - Rules

HB 457 - Rules

HB 822 - Rules

HB 877 - Rules

HB 914 - Rules

HB 926 - Rules

HB 933 - Rules

HB 962 - Rules

HB 971 - Rules

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 84 - Rules

SCS SB 312 - Rules

COMMITTEE REPORTS

Committee on Ethics, Chairman Dempsey reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the 4th Floor Freshman Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Will Kraus

DATE: May 9, 2005

RE: Representative Ryan Silvey

Please consider this letter as a formal request to add Representative Ryan Silvey's name to the following caucus. Representative Silvey is in District 38.

4th Floor Freshman Caucus

/s/ Ryan Silvey 38th District

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the 9th District Congressional Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Mike Sutherland

DATE: May 10, 2005

RE: 9th District Congressional Republican Caucus

Pursuant to Section 105.473.2(2)(c)d RSMo, 1998 and the rules of the Missouri House of Representatives, please add Representative Ryan Silvey as a member of the 93rd General Assembly's House of Representatives 9th District Congressional Republican Caucus.

Please contact me at 573-751-2689 if you have any questions.

/s/ Ryan Silvey, D-38

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the 2005-2006 Freshman Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

May 9, 2005

TO: Rep. Tom Dempsey, Majority Floor Leader

FROM: Rep. Charlie Denison

SUBJECT: 2005-2006 Freshman Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, I am requesting that the following member of the General Assembly be added as a member of the 2005 Freshman Caucus.

Representative	District
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/s/ Ryan Silvey	38
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Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the 2005 Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Stephen Davis, Chief Clerk

DATE: May 10, 2005

RE: 2005 Republican Caucus Addition

Please add Representative Ryan Silvey to the list of members of the 2005 Republican Caucus.

/s/ Ryan Silvey District 38

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the ALEC (American Legislative Exchange Council) Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Rep. Tom Dempsey

FROM: Rep. Shannon Cooper

DATE: May 5, 2005

RE: Addition to ALEC Caucus

Please add the name of Rep. Ryan Silvey to the list for the ALEC (American Legislative Exchange Council) Caucus.

Thank you.

/s/ Ryan Silvey Dist. 38

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the Cultural Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman Ethics Committee
FROM: Representative Michael G. Corcoran
DATE: May 10, 2005
RE: Addition to Cultural Caucus

Please add the name of Representative Ryan Silvey from District 38 to the list for the Cultural Caucus. Thank you.

Name	District
/s/ Ryan Silvey	38

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the Freshman Republican Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee
FROM: Representative Will Kraus
DATE: May 9, 2005
RE: Representative Ryan Silvey

Please consider this letter as a formal request to add Representative Ryan Silvey's name to the following caucus. Representative Silvey is in District 38.

Freshman Republican Caucus

/s/ Ryan Silvey	38 District
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Mr. Speaker: Your Committee on Ethics, to which was referred the **Friends of Central Missouri State University (CMSU) Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

April 14, 2005

The Honorable Tom Dempsey, Chair
House Ethics Committee
Missouri House of Representatives
Jefferson City, MO 65101

Dear Chairman Dempsey:

Please accept this addendum request of the undersigned Representatives to join the Friends of Central Missouri State University (CMSU) Caucus. This caucus was created for elected members of the General Assembly who are alumni and/or represent districts within the 21-county catchment area.

/s/ Bill Deeken District 114
/s/ Billy Pat Wright District 159

Sincerely,

/s/ David Pearce
State Representative, District 121

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the FFA Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chair Ethics Committee

FROM: Representative Jim Viebrock

DATE: March 11, 2005

RE: FFA Caucus

In accordance with Section 105.473.3(2)(c)d RSMo 2000, we are listing the following members of the General Assembly as members of the FFA Caucus.

April 27, 2005 Amendment - Please add Representative Billy Pat Wright of District 159 to the member list of the FFA Caucus.

Representative	District
/s/ Billy Pat Wright	159

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the Greater Kansas City Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Bob Johnson

DATE: 5/9/2005

RE: Addition to the Greater Kansas City Caucus

Please add the name of Representative Ryan Silvey to the list for the Greater Kansas City Caucus. Thank you.

/s/ Ryan Silvey - District 38

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the Healthy Missourians Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Representative Tom Dempsey, Chairman
House Ethics Committee

FROM: Representative Judy Baker

DATE: May 11, 2005

RE: Healthy Missourians Caucus

Please add Representative Ryan Silvey from the 38th District to the Healthy Missourians Caucus.

/s/ Ryan Silvey
District 38

Mr. Speaker: Your Committee on Ethics, to which was referred the **INVENTOR's Enrichment Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

May 11, 2005

TO: Rep. Tom Dempsey
Majority Floor Leader

FROM: Rep. Bob Behnen

SUBJ: INVENTOR's Enrichment Caucus

In accordance with Section 105.473.3(2)(c)d, RSMo 2000, I respectfully request the approval of the INVENTOR's Enrichment Caucus. I would respectfully ask the approval of the caucus before we adjourn on Friday, May 13.

INVENTOR's Enrichment Caucus

Representative	District
/s/ Bob Behnen	2
/s/ Brad Lager	4
/s/ Tom Dempsey	18
/s/ Scott Muschany	87
/s/ Brian Nieves	98
/s/ Mike McGhee	122
/s/ Ron Richard	129
/s/ Mike Parson	133
/s/ Brad Roark	139
/s/ Jay Wasson	141
/s/ Mike Cunningham	145
/s/ Darrell Pollock	146
/s/ Rod Jetton	156

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the Missouri Sportsmen's Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Rep. Tom Dempsey, Chairman
House Ethics Committee

FROM: Rep. Jason Brown

DATE: May 9, 2005

SUBJECT: Please add Rep. Ryan Silvey to the Missouri Sportsmen's Caucus

/s/ Ryan Silvey

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the Sanctity of Life Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Rep. Tom Dempsey

FROM: Rep. Ed Emery

DATE: May 9, 2005

RE: Addition to Sanctity of Life Caucus

Please add the name of Representative Ryan Silvey to the list for the Sanctity of Life Caucus. Thank you.

/s/ Ryan Silvey
District 38

Mr. Speaker: Your Committee on Ethics, to which was referred the **Sweet Sixteen Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

Please accept this as an application for the "Sweet Sixteen Caucus." The members signed below wish to participate in this caucus:

Representative	District
/s/ Jim Avery	95
/s/ James W. Lembke	85
/s/ Walt Bivins	97
/s/ Bryan P. Stevenson	128
/s/ Jason Brown	30
/s/ Sally Faith	15
/s/ Joe Smith	14
/s/ Mark Wright	137
/s/ Bob Nance	36
/s/ Vicki Schneider	17
/s/ Robert Thane Johnson	47
/s/ Ryan Silvey	38
/s/ Jerry Nolte	33
/s/ Sherman Parker	12
/s/ Mike McGhee	122

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the Veterans Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

March 16, 2005

The Honorable Tom Dempsey
Majority Floor Leader
State Capitol, Room 309
201 West Capitol Avenue
Jefferson City, MO 65101

Dear Representative Dempsey:

Representative Rod Jetton has requested to join the Veterans Caucus.

/s/ Rod Jetton District 156

I respectfully request that Representative Rod Jetton be added as a member of the Veterans Caucus.

Sincerely,
/s/ Gary Dusenberg

April 4, 2005

The Honorable Tom Dempsey
Majority Floor Leader
State Capitol, Room 309
201 West Capitol Avenue
Jefferson City, MO 65101

Dear Representative Dempsey:

Representative Bob May has requested to join the Veterans Caucus.

/s/ Bob May District 149

Representative Mike McGhee has requested to join the Veterans Caucus.

/s/ Mike McGhee District 122

I respectfully request that Representatives Bob May and Mike McGhee be added as members of the Veterans Caucus.

Sincerely,

/s/ Gary Dusenberg

Mr. Speaker: Your Committee on Ethics, to which was referred the **additions to the Western Missouri Caucus**, begs leave to report it has examined the same and **approves it pursuant to 105.473.3(2)(c)d, RSMo.**

TO: Rep. Tom Dempsey, Chairman
 House Ethics Committee

FROM: Rep. Jason Brown

DATE: May 9, 2005

SUBJECT: Please add Rep. Ryan Silvey to the Western Missouri Caucus

/s/ Ryan Silvey

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 9**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 20**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 23**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS HCR 24**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 33**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 56**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 58**, as **amended**, and has taken up and passed **CCS SS SCS HCS HB 58**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 69**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS#2 HBs 94 & 185**, entitled:

An act to repeal section 351.488, RSMo, and to enact in lieu thereof two new sections relating to military affairs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 119**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 163, 213 & 216**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 219**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 236**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 258**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 261**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 297** and has taken up and passed **CCS SCS HCS HB 297**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 323**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 353, as amended**, and has taken up and passed **CCS SS SCS HCS HB 353**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 413**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 455**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 462 & 463**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 513**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 563**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HCS#2 HB 568, as amended**, and has taken up and passed **CCS SS HCS#2 HB 568**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 596**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 681**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 866**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SBs 37, 322, 78, 351 & 424, as amended**, and has taken up and passed **HCS SS SCS SBs 37, 322, 78, 351 & 424, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 196** and has taken up and passed **HCS SCS SB 196**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 238** and has taken up and passed **HCS SCS SB 238**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 320** and has taken up and passed **HCS SB 320**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SB 402** and has taken up and passed **HCS SS SB 402**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 521** and has taken up and passed **SB 521, as amended**.

MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE

May 13, 2005

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
93RD GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **House Bill No. 40** entitled:

"AN ACT"

To repeal section 349.045, RSMo, and to enact in lieu thereof one new section relating to industrial development corporations, with an emergency clause.

On May 13, 2005, I approved said **House Bill No. 40**.

Respectfully submitted,

/s/ Matt Blunt
Governor

May 13, 2005

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
93RD GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **House Bill No. 260** entitled:

"AN ACT"

To authorize the conveyance of property owned by the state in Cole County to the Regional West Fire District, with an emergency clause.

On May 13, 2005, I approved said **House Bill No. 260**.

Respectfully submitted,

/s/ Matt Blunt
Governor

May 13, 2005

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
93RD GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **House Committee Substitute for House Bill No. 448** entitled:

"AN ACT"

To repeal section 84.160, RSMo, and to enact in lieu thereof one new section relating to pay for police officers, with an emergency clause.

On May 13, 2005, I approved said **House Committee Substitute for House Bill No. 448**.

Respectfully submitted,

/s/ Matt Blunt
Governor

May 13, 2005

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
93RD GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **House Committee Substitute for House Bill No. 631** entitled:

"AN ACT"

To authorize the conveyance of property owned by the state in St. Louis County to the Manchester United Methodist Church, with an emergency clause.

On May 13, 2005, I approved said **House Committee Substitute for House Bill No. 631**.

Respectfully submitted,

/s/ Matt Blunt
Governor

ADJOURNMENT

On motion of Representative Dempsey, the House adjourned until 10:00 a.m., Thursday, May 19, 2005.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-fourth Day, Thursday, May 12, 2005, Page 1879, Lines 33-34, by deleting the words “truly agreed to and finally passed,” and inserting in lieu thereof the following:

“third read and passed.”

Page 1929, Line 25, by inserting after said line the following:

“Emergency clause adopted.”

AFFIDAVITS

I, State Representative Jim Avery, District 95, hereby state and affirm that my vote as recorded on the motion to truly agree to and finally pass Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 972 in the House Journal for Friday, May 13, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2005.

/s/ Jim Avery
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Belinda Harris, District 110, hereby state and affirm that my vote as recorded on the motion to truly agree to and finally pass Senate Bill No. 518 in the House Journal for Friday, May 13, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2005.

/s/ Belinda Harris
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sara Lampe, District 138, hereby state and affirm that my vote as recorded on the motion to adopt Senate Concurrent Resolution No. 19 in the House Journal for Friday, May 13, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2005.

/s/ Sara Lampe
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Sherman Parker, District 12, hereby state and affirm that my vote as recorded on the motion to truly agree to and finally pass Senate Committee Substitute for House Bill No. 229 in the House Journal for Friday, May 13, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2005.

/s/ Sherman Parker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Martin Rucker, District 29, hereby state and affirm that my vote as recorded on the motion to truly agree to and finally pass Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353 in the House Journal for Friday, May 13, 2005 showing that I voted present was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2005.

/s/ Martin T. Rucker
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

I, State Representative Robin Wright-Jones, District 63, hereby state and affirm that my vote as recorded on the motion to adopt the Conference Committee Report for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 353 in the House Journal for Friday, May 13, 2005 showing that I voted no was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2005.

/s/ Robin Wright-Jones
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 13th day of May in the year 2005.

/s/ Stephen S. Davis
Chief Clerk

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTY-SIXTH DAY, THURSDAY, MAY 19, 2005

The House met pursuant to adjournment.

Representative Bruns in the Chair.

Prayer by Representative Mark Bruns.

Lord, as we gather here this morning to do the work of Your people, we pause to give You thanks for the gift of life. It is especially fitting on this day, the day we send off Your servant and our friend, Representative Richard Byrd to live in eternal happiness at Your side, where we know we shall all be some day if we live as Richard did.

Richard lived his life as You commanded, loving his neighbor as himself. He was always willing to help others, no matter what was needed. His priorities were so very evident - God, family, friends and work. And his work was so important to him, as he loved to make this great state a better place to live.

So Lord, even though we are filled with sadness by his passing, let us remember Richard by striving to love others as he did. Let us rejoice in the fact he is at Your side and that we were given the opportunity to know him. Please be with his wife and children in this difficult time, and give them comfort in knowing he was Your faithful servant and was loved by all who knew him.

Lord, be with us as we carry on in Richard's absence, give us the strength and wisdom to always do what is right, for it is in Your name that we proceed. Amen.

The Pledge of Allegiance to the flag was recited.

RECESS

On motion of Representative Bruns, the House recessed until **SS SCS HCS HB 186** is signed.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **SS SCS HCS HB 186** was read at length and, there being no objection, was signed by the Speaker Pro Tem to the end that the same may become law.

The following members' presence was noted: Casey, Dusenberg, Kratky, Roorda, Rucker, Shoemyer, Viebrock and Wright (137).

ADJOURNMENT

On motion of Speaker Pro Tem Bearden, the House adjourned until 12:00 p.m., Thursday, May 26, 2005.

JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

SEVENTY-SEVENTH DAY, THURSDAY, MAY 26, 2005

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Speaker Jetton.

Dear Lord, guide us as we embark upon our legislative duties.

We ask that You be with the family of Representative Richard Byrd as they grieve the untimely loss of Richard.

God grant us wisdom and patience.

In Jesus' name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

SIGNING OF HOUSE CONCURRENT RESOLUTION

All other business of the House was suspended while **HCR 20** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **CCS SCS HB 1, CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HB 12, CCS SCS HB 13, HCS HB 15, HCS HB 18, SCS HCS HB 19, HB 33, HB 43, SCS HCS HB 47, HCS HB 56, CCS SS SCS HCS HB 58, SS SCS HCS HB 64, HB 69, HB 114, SS HB 116, HCS HB 119, HB 127, HB 155, HCS HBs 163, 213 & 216, HCS HB 174, SS SCS HCS HB 209, HCS HB 215, HB 219, SCS HB 229, SCS HCS#2 HB 232, HB 236, HB 243, HB 248, HB 258, HB 261, HCS HB 276, HB 280, CCS SCS HCS HB 297, HB 323, HB 342, HB 345, HCS HB 348, CCS SS SCS HCS HB 353, HCS HB 365, HCS HB 379, HCS HB 388, HB 395, HB 402, HB 413, HCS HB 422, HB 431, HCS HB 437, SS SCS HCS HB 441, SS HCS HB 443, HB 445, HB 453, HB 455, HCS HB 461, HCS HBs 462 & 463, HB 479, HB 486, SS SCS HB 487, SS SCS HCS HBs 500 & 533, HCS HB 513, SCS HCS HB 515, HB 524, HCS HB 525, HB 530, HCS HB 531, HCS HB 563, HB 567, CCS SS HCS#2 HB 568, HCS HB 576, HCS HB 577, HB 596, HB 600, SS SCS HB 617, SCS HB 618, HCS HB 630, SCS HB 638, CCS SCS HB 678, HB 681, SCS HB 685, SCS HB 688, HB 700, SCS**

HB 707, HB 738, HB 743, HCS HB 824, HCS HB 866 and SS#2 SCS HCS HB 972, were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HB 1, CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HB 12, CCS SCS HB 13, HCS HB 15, HCS HB 18, SCS HCS HB 19, HB 33, HB 43, SCS HCS HB 47, HCS HB 56, CCS SS SCS HCS HB 58, SS SCS HCS HB 64, HB 69, HB 114, SS HB 116, HCS HB 119, HB 127, HB 155, HCS HBs 163, 213 & 216, HCS HB 174, SS SCS HCS HB 186, SS SCS HCS HB 209, HCS HB 215, HB 219, SCS HB 229, SCS HCS#2 HB 232, HB 236, HB 243, HB 248, HB 258, HB 261, HCS HB 276, HB 280, CCS SCS HCS HB 297, HB 323, HB 342, HB 345, HCS HB 348, CCS SS SCS HCS HB 353, HCS HB 365, HCS HB 379, HCS HB 388, HB 395, HB 402, HB 413, HCS HB 422, HB 431, HCS HB 437, SS SCS HCS HB 441, SS HCS HB 443, HB 445, HB 453, HB 455, HCS HB 461, HCS HBs 462 & 463, HB 479, HB 486, SS SCS HB 487, SS SCS HCS HBs 500 & 533, HCS HB 513, SCS HCS HB 515, HB 524, HCS HB 525, HB 530, HCS HB 531, HCS HB 563, HB 567, CCS SS HCS#2 HB 568, HCS HB 576, HCS HB 577, HB 596, HB 600, SS SCS HB 617, SCS HB 618, HCS HB 630, SCS HB 638, CCS SCS HB 678, HB 681, SCS HB 685, SCS HB 688, HB 700, SCS HB 707, HB 738, HB 743, HCS HB 824, HCS HB 866 and SS#2 SCS HCS HB 972** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE JOINT RESOLUTION

All other business of the House was suspended while **SS SJR 1** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HCS SCS SBs 10 & 27, HCS SB 21, HCS SCS SB 24, HCS SS SCS SBs 37, 322, 78, 351 & 424, HCS SB 38, SCS SB 68, SB 71 CORRECTED, SCS SB 73, HCS SS SCS SBs 74 & 49, HCS SS SB 95, HCS SCS SB 100, HCS SCS SBs 103 & 115, SB 122, SB 131, SCS SB 133, SB 149, CCS HCS SCS#2 SB 155, SB 156, HCS SS SCS SB 168, SCS SB 170, HCS SB 174, CCS HCS SB 177, SB 178, SS SCS SB 179, HCS SCS SB 182, HCS SCS SB 196, CCS HCS SS SCS SB 210, SB 211, HCS SB 216, HCS SS#2 SCS SB 225, CCS#2 HCS SCS SB 233, HCS SCS SB 238, SCS SB 246, SB 254, SCS SB 258, SB 259, SB 261, HCS SCS SB 262, SCS SB 266, SCS SB 267, HCS SCS SB 272, SB 274, SB 279, SB 280, CCS HCS SS SCS SB 287, SB 288, SCS SB 289, SB 298, SB 299, SCS SB 302, SB 306, HCS SB 307, SB 318, HCS SB 320, SB 323, CCS HCS SS SB 343, SS SCS SB 346, SB 347, HCS SCS SB 355, SB 367, HCS SCS SB 372, SB 378, SB 394, SB 396, HCS SB 401, HCS SS SB 402, SCS SB 407, CCS HCS SCS SBs 420 & 344, HCS SB 422, HCS SCS SB 423, SB 431, HCS SCS SB 450, SB 453, HCS SS SCS SB 462, SB 480, SB 488, HCS SB 490, CCS HCS SCS SB 500, SCS SB 501, SB 507, SB 516, SB 518 and SB 521** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Burnett offered an objection to **CCS HCS SS SCS SB 237** which was appended to the bill.

LETTER OF OBJECTION

May 9, 2005

The Honorable Rod Jetton
Speaker of the Missouri House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

RE: **CCS HCS SS SCS SB 237**

This is to notify you and others that I hereby am filing a constitutional objection to said bill for the following reasons:

1. That **CCS HCS SS SCS SB 237**, by allowing a private cable company to place its lines within the right of way of Missouri's state highways without compensating the owner of the property underlying the right of way, is in violation of Article I, Section 28 of the Bill of Rights of the Missouri Constitution which states that private property shall not be taken for private use without compensation.
2. That **CCS HCS SS SCS SB 237**, by allowing a private cable company to place its lines within the right of way of Missouri's state highways without compensating the owner of the property underlying the right of way, grants to a private company a special privilege in violation of Article 3, Section 40 (28) of the Missouri Constitution and contrary to the decision of the Missouri Supreme Court in *Planned Industrial Expansion Authority of the City of St. Louis v. Southwestern Bell Telephone*, 612 S.W. 2d 772 (Mo 1981).

Sincerely,

/s/ John P. Burnett
State Representative
District 40

All other business of the House was suspended while **CCS HCS SS SCS SB 237** was read at length and was signed by the Speaker to the end that the same may become law.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Deeken is no longer a member of the Ethics Committee.

Representatives Goodman and Bruns have been appointed members of the Ethics Committee.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

May 24, 2005

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
93RD GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186** entitled:

"AN ACT"

To repeal sections 67.459, 67.1003, 67.1062, 67.1067, 67.1069, 67.1070, 67.1775, 67.1922, 67.1934, 67.1956, 67.1959, 67.1968, 67.1979, 94.070, 94.270, 94.660, 94.700, 100.050, 100.059, 135.010, 137.073, 137.100, 137.106, 144.030, 144.044, 144.518, 184.352, 184.353, 184.357, 210.860, 210.861, 313.800, and 313.820, RSMo, and to enact in lieu thereof forty new sections relating to local taxes, with an emergency clause for a certain section.

On May 24, 2005, I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 186**.

Respectfully submitted,

/s/ Matt Blunt
Governor

The following members' presence was noted: Bearden, Johnson (47), Lampe, Silvey, Smith (14), Sutherland and Viebrock.

ADJOURNMENT

On motion of Speaker Jetton, the House of Representatives, 93rd General Assembly, convened in the First Regular Session on January 5, 2005, adjourned as of midnight, May 30, 2005, in accordance with the Constitution.

JOURNAL OF THE HOUSE

VETO SESSION

First Regular Session, 93rd GENERAL ASSEMBLY

FIRST DAY, WEDNESDAY, SEPTEMBER 14, 2005

Speaker Jetton in the Chair.

Prayer by Don Lograsso, General Counsel.

GOD, thank You for the gifts of life, family, friends and health.

Grant this Assembly patience, wisdom and humor as they continue their work on behalf of the people of this State.

We claim the protections for ourselves and our families that You have promised.

In Jesus' name. Amen.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Senator Jason Crowell and Benjamin Collins Smith.

SPECIAL RECOGNITION

McKenzie Ingram was introduced by Representative Denison and recognized as an Outstanding Missourian.

HOUSE RESOLUTION

Representative Dempsey offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-third General Assembly, First Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2005 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Dempsey, **House Resolution No. 1** was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Section 32, Article III of the Constitution and is ready for the consideration of its business.

MESSAGES FROM THE GOVERNOR

June 23, 2005

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein, and the Office of Administration to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

Section 3.170

I hereby veto \$758,000 general revenue for Agricultural Cooperative Extension and Research Programs for Lincoln University. This new appropriation was not recommended by the Coordinating Board for Higher Education nor was it part of my budget recommendations. Such review is essential to ensure that state resources are allocated in the most cost-effective manner. This veto is necessary to ensure a balanced budget.

All expenditures by \$758,000 from \$15,959,387 to \$15,201,387.
From \$15,959,387 to \$15,201,387 in total from General Revenue Fund.
From \$17,585,592 to \$16,827,592 in total for the section.

Section 3.227

I hereby veto \$227,335 general revenue for Alzheimer's disease research. This program is outside the mission of the Department of Higher Education and I proposed eliminating it as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Said section is vetoed in its entirety by \$227,335 to \$0 from General Revenue Fund.
From \$227,335 to \$0 in total for the section.

Section 3.235

I hereby veto \$459,970 general revenue for the Missouri Institute of Mental Health. I proposed this program reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

All expenditures by \$459,970 from \$2,299,850 to \$1,839,880.
From \$2,299,850 to \$1,839,880 in total from General Revenue Fund.
From \$2,299,850 to \$1,839,880 in total for the section.

On June 23, 2005, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 23, 2005

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the Office of Administration, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2005 and ending June 30, 2006.

Section 6.035

I hereby veto \$44,955 general revenue for the Department of Agriculture's sustainable agriculture demonstration projects. This veto eliminates a program that appears to have resulted in very few viable sustainable agriculture operations, and is necessary to ensure a balanced budget.

For Sustainable Agriculture Demonstration Projects

Personal Service by \$11,872 from \$11,872 to \$0 from General Revenue Fund.
Expense and Equipment by \$33,083 from \$33,083 to \$0 from General Revenue Fund.
From \$44,955 to \$0 in total from General Revenue Fund.
From \$1,956,954 to \$1,911,999 in total for the section.

Section 6.110

I hereby veto \$74,223 general revenue for the Department of Agriculture, Division of Plant Industries. The appropriation is being reduced to eliminate funding for the replacement of laboratory equipment. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment by \$74,223 from \$1,642,291 to \$1,568,068.
From \$1,642,291 to \$1,568,068 in total from General Revenue Fund.
From \$2,621,243 to \$2,547,020 in total for the section.

Section 6.150

I hereby veto \$6,000 general revenue for the Department of Agriculture, State Milk Board. The relocation of the board to the central offices of the department should result in offsetting expense and equipment savings.

Personal Service and/or Expense and Equipment by \$6,000 from \$124,200 to \$118,200.
From \$124,200 to \$118,200 in total from General Revenue Fund.
From \$1,567,577 to \$1,561,577 in total for the section.

On June 23, 2005, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 23, 2005

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Department of Labor and Industrial Relations, and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

Section 7.005

I hereby veto \$11,446 general revenue for Minority Scholarships for Business. The Department of Economic Development has no infrastructure for issuing scholarships.

Minority Scholarships for Business by \$11,446 from \$11,446 to \$0 from General Revenue Fund.
From \$764,975 to \$753,529 in total from General Revenue Fund.
From \$5,746,599 to \$5,735,153 in total for the section.

Section 7.020

I hereby veto \$477,050 Missouri Technology Investment funds for the Joplin Innovation Center and 25 percent of the appropriations for the Innovation Centers in Rolla, Southeast Missouri, St. Louis, and Columbia. This veto is necessary to ensure a balanced budget.

For Innovation Centers

Joplin Innovation Center by \$150,000 from \$150,000 to \$0 from Missouri Technology Investment Fund.
Rolla Innovation Center by \$80,025 from \$320,100 to \$240,075 from Missouri Technology Investment Fund.
Southeast Missouri Innovation Center by \$80,025 from \$320,100 to \$240,075 from Missouri Technology Investment Fund.
St. Louis Innovation Center by \$100,000 from \$400,000 to \$300,000 from Missouri Technology Investment Fund.
Columbia Innovation Center by \$67,000 from \$268,000 to \$201,000 from Missouri Technology Investment Fund.

From \$1,608,200 to \$1,131,150 in total from the Missouri Technology Investment Fund.
From \$13,158,862 to \$12,681,812 in total for the section.

Section 7.025

I hereby veto \$477,050 general revenue for transfer to the Missouri Technology Investment Fund. This veto is necessary to ensure a balanced budget.

For transfer of general revenue to the Missouri Technology Investment Fund by \$477,050 from \$3,087,167 to \$2,610,117 in total from General Revenue Fund.
From \$3,087,167 to \$2,610,117 in total for the section.

Section 7.080

I hereby veto \$300,000 Missouri Humanities Council Trust Fund for the Missouri Humanities Council. The appropriation is being reduced to ensure the Missouri Humanities Council continues to build a balance in their trust fund to provide for financial self-sufficiency. Funding will remain at the Fiscal Year 2005 level.

For the Missouri Humanities Council by \$300,000 from \$345,000 to \$45,000 in total from Missouri Humanities Council Trust Fund.
From \$6,488,707 to \$6,188,707 in total for the section.

Section 7.105

I hereby veto \$11,200 general revenue for the Missouri Women's Council. The Missouri Women's Council will continue to use federal funds to focus on assisting Missouri's low-income women with career decisions. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment by \$11,200 from \$11,200 to \$0 in total from General Revenue Fund.
From \$77,702 to \$66,502 in total for the section.

Section 7.115

I hereby veto \$4,585,929 Division of Tourism Supplemental Revenue Fund for the Division of Tourism. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service by \$105,096 from \$1,568,282 to \$1,463,186 from Division of Tourism Supplemental Revenue Fund.
Expense and Equipment by \$4,480,833 from \$16,627,473 to \$12,146,640 from Division of Tourism Supplemental Revenue Fund.
From \$18,195,755 to \$13,609,826 in total from Division of Tourism Supplemental Revenue Fund.
From \$18,210,755 to \$13,624,826 in total for the section.

Section 7.125

I hereby veto \$4,585,929 general revenue for transfer to the Division of Tourism Supplemental Revenue Fund. This veto corresponds to the veto of funds for the Division of Tourism, and is necessary to ensure a balanced budget.

For transfer of general revenue to the Division of Tourism Supplemental Revenue Fund by \$4,585,929 from \$17,817,811 to \$13,231,882 in total from General Revenue Fund.
From \$17,817,811 to \$13,231,882 in total for the section.

Section 7.175

I hereby veto \$101,785 general revenue for the Office of Public Counsel. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment by \$101,785 from \$831,745 to \$729,960 in total from General Revenue Fund.

From \$831,745 to \$729,960 in total for the section.

Section 7.820

I hereby veto \$154,611 general revenue for the Division of Labor Standards. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment by \$154,611 from \$998,564 to \$843,953 in total from General Revenue Fund.

From \$1,264,502 to \$1,109,891 in total for the section.

Section 7.835

I hereby veto \$63,825 general revenue for the State Board of Mediation. I will reassign the board's responsibilities to the Labor and Industrial Relations Commission by Executive Order. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment by \$63,825 from \$122,815 to \$58,990 in total from General Revenue Fund.

From \$122,815 to \$58,990 in total for the section.

Section 7.900

I hereby veto \$184,378 general revenue for the Missouri Commission on Human Rights. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment by \$184,378 from \$947,019 to \$762,641 in total from General Revenue Fund.

From \$1,962,702 to \$1,778,324 in total for the section.

On June 23, 2005, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 23, 2005

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, the several divisions and programs thereof, and the Office of Administration, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

Section 8.095

I hereby veto \$86,767 State Highways and Transportation Department Fund for fringes associated with a special pay increase for State Highway Patrol communication employees. The appropriation is being reduced to reflect the anticipated spending level.

Personal Service by \$86,767 from \$42,534,891 to \$42,448,124 State Highways and Transportation Department Fund.
From \$46,083,860 to \$45,997,093 in total from State Highways and Transportation Department Fund.
From \$53,816,745 to \$53,729,978 in total for the section.

Section 8.100

I hereby veto \$56,931 general revenue from the State Highway Patrol enforcement program. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment by \$56,931 from \$6,735,275 to \$6,678,344 in total from General Revenue Fund.
From \$79,084,939 to \$79,028,008 in total for the section.

Section 8.140

I hereby veto \$284,572 State Highways and Transportation Department Fund for a special pay increase for the State Highway Patrol communication employees.

Personal Services by \$284,572 from \$10,392,618 to \$10,108,046 from State Highways and Transportation Department Fund.
From \$19,373,999 to \$19,089,427 in total from the State Highways and Transportation Department Fund.
From \$25,202,370 to \$24,917,798 in total for the section.

Section 8.195

I hereby veto \$62,400 general revenue and \$44,000 Veterans' Commission Capital Improvement Trust Fund for a Veterans' Ombudsman and a cemetery project manager at Fort Leonard Wood.

Personal service and/or Expense and Equipment by \$62,400 from \$2,034,089 to \$1,971,689 in total from General Revenue Fund.

For the purpose of funding a Public Safety Manager

For the Fort Leonard Wood cemetery project

Personal Service by \$44,000 from \$44,000 to \$0 from Veterans' Commission Capital Improvement Trust Fund.

From \$4,136,874 to \$4,030,474 in total for the section.

Section 8.290

I hereby veto \$77,465 general revenue from the State Emergency Management Agency. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment by \$77,465 from \$1,519,937 to \$1,442,472 from General Revenue Fund.
From \$2,891,248 to \$2,813,783 in total for the section.

On June 23, 2005, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 23, 2005

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10** entitled:

AN ACT

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee, the Commission for the Missouri Senior Rx Program, and the Office of Administration to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005 and ending June 30, 2006.

Section 10.015

I hereby veto \$97,235 general revenue for program operations and support within the Office of the Director of the Department of Mental Health. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment

From \$5,063,119 to \$4,965,884 in total from General Revenue Fund.

From \$6,052,537 to \$5,955,302 in total for the section.

Section 10.080

I hereby veto \$19,950 general revenue for personal services within the Division of Alcohol and Drug Abuse. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment

From \$3,685,669 to \$3,665,719.

From \$25,662,744 to \$25,642,794 in total from General Revenue Fund.

From \$83,823,889 to \$83,803,939 in total for the section.

Section 10.100

I hereby veto \$281,658 general revenue for Expense and Equipment within the Division of Comprehensive Psychiatric Services. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment

From \$781,083 to \$499,425 from General Revenue Fund.

From \$152,573,120 to \$152,291,462 in total for the section.

Section 10.120

I hereby veto \$210,635 general revenue for youth community programs within the Division of Comprehensive Psychiatric Services. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

From \$561,596 to \$350,961 from General Revenue Fund.
From \$37,923,107 to \$37,712,472 in total for the section.

Section 10.150

I hereby veto \$190,984 general revenue for Northwest Missouri Psychiatric Rehabilitation Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$10,936,727 to \$10,745,743 from General Revenue Fund.
From \$11,974,306 to \$11,783,322 in total for the section.

Section 10.155

I hereby veto \$323,992 general revenue for St. Louis Psychiatric Rehabilitation Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$17,861,395 to \$17,537,403 from General Revenue Fund.
From \$18,377,726 to \$18,053,734 in total for the section.

Section 10.165

I hereby veto \$112,052 general revenue for Hawthorn Children's Psychiatric Hospital. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$6,138,311 to \$6,026,259 from General Revenue Fund.
From \$7,642,906 to \$7,530,854 in total for the section.

Section 10.170

I hereby veto \$24,103 general revenue for Cottonwood Residential Treatment Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$1,442,054 to \$1,417,951 from General Revenue Fund.
From \$2,351,218 to \$2,327,115 in total for the section.

Section 10.185

I hereby veto \$294,662 general revenue for Southeast Missouri Mental Health Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$16,232,094 to \$15,937,432 from General Revenue Fund.
From \$16,421,742 to \$16,127,080 in total for the section.

Section 10.205

I hereby veto \$45,384 general revenue for administration within the Division of Mental Retardation-Developmental Disabilities. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$961,980 to \$916,596 in total from General Revenue Fund.
From \$1,027,483 to \$982,099 in total for the section.

Section 10.225

I hereby veto \$14,500 general revenue for the Albany Regional Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$1,343,510 to \$1,329,010 from General Revenue Fund.
From \$1,745,734 to \$1,731,234 in total for the section.

Section 10.230

I hereby veto \$29,244 general revenue for the Central Missouri Regional Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$1,555,740 to \$1,526,496 from General Revenue Fund.
From \$2,568,007 to \$2,538,763 in total for the section.

Section 10.240

I hereby veto \$9,512 general revenue for the Joplin Regional Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$1,837,277 to \$1,827,765 from General Revenue Fund.
From \$2,236,500 to \$2,226,988 in total for the section.

Section 10.245

I hereby veto \$14,500 general revenue for the Kansas City Regional Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$2,613,536 to \$2,599,036 from General Revenue Fund.
From \$4,199,821 to \$4,185,321 in total for the section.

Section 10.265

I hereby veto \$9,800 general revenue for the Sikeston Regional Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$1,417,149 to \$1,407,349 from General Revenue Fund.
From \$1,653,152 to \$1,643,352 in total for the section.

Section 10.270

I hereby veto \$9,512 general revenue for the Springfield Regional Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$1,915,378 to \$1,905,866 from General Revenue Fund.
From \$2,590,406 to \$2,580,894 in total for the section.

Section 10.275

I hereby veto \$29,244 general revenue for the St. Louis Regional Center. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$4,387,628 to \$4,358,384 from General Revenue Fund.
From \$8,346,085 to \$8,316,841 in total for the section.

Section 10.600

I hereby veto \$25,000 general revenue for the Department of Health and Senior Services for the St. Louis Cord Blood Bank at Cardinal Glennon Children's Hospital.

From \$25,000 to \$0 from General Revenue Fund
From \$3,704,157 to \$3,679,157 in total for the section.

Section 10.680

I hereby veto \$96,639 general revenue for the Division of Community Health within the Department of Health and Senior Services. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment
From \$2,623,884 to \$2,527,245 in total from General Revenue Fund.
From \$14,013,704 to \$13,917,065 in total for the section.

Section 10.685

I hereby veto \$1,149,568 general revenue for funding community health programs within the Division of Community Health. This represents a veto of \$250,000 from the division's Head Injury program, \$382,609 from Community Health Services programs, and \$516,959 from the division's Genetics programs. This veto is necessary to ensure a balanced budget.

From \$4,605,149 to \$3,455,581 in total from General Revenue Fund.
From \$35,846,326 to \$34,696,758 in total for the section.

Section 10.695

I hereby veto \$54,126 general revenue for the purpose of funding supplemental nutrition programs within the Division of Community Health. This represents the entire General Revenue match for the WIC Farmer's Market and Senior Farmer's Market programs, which have already been cancelled for this calendar year.

From \$54,126 to \$0 in total from General Revenue Fund.
From \$156,945,242 to \$156,891,116 in total for the section.

Section 10.705

I hereby veto \$742,268 general revenue for the Division of Senior Services and Regulation. This appropriation is being reduced to reflect changes in departmental staff.

Personal Service and/or Expense and Equipment
From \$17,729,743 to \$16,987,475 in total from General Revenue Fund.
From \$42,100,905 to \$41,358,637 in total for the section.

On June 23, 2005, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 23, 2005

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11** entitled:

AN ACT

To appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2005 and ending June 30, 2006.

Section 11.035

I hereby veto \$144,286 general revenue for the payment of overtime for nonexempt employees as required by Section 105.935, RSMo. The appropriation is being reduced to reflect the anticipated spending level.

From \$1,639,286 to \$1,495,000 in total from General Revenue Fund.
From \$3,060,192 to \$2,915,906 in total for the section.

Section 11.080

I hereby veto \$444,670 general revenue for the income maintenance and field staff and operations. The appropriation is being reduced to reflect the anticipated spending level.

Personal Service and/or Expense and Equipment from \$23,088,252 to \$22,643,582 in total from General Revenue Fund.
From \$88,269,401 to \$87,824,731 in total for the section.

Section 11.105

I hereby veto \$802,146, including \$652,146 general revenue. These vetoes are necessary to ensure a balanced budget.

For the purpose of funding Community Partnerships
Personal Service by \$8,146 from \$92,548 to \$84,402 from General Revenue Fund.

For grants and contracts to Community Partnerships by \$194,000 from \$921,500 to \$727,500 from General Revenue Fund.

For the purpose of funding an organization that operates a community and cyber learning center providing services to children and adults in neighborhood communities in St. Louis by \$150,000 from \$150,000 to \$0 from General Revenue Fund.

For the purpose of funding three additional mentoring programs in Missouri, one targeted towards children in foster care, one targeted towards children of incarcerated parents, and one targeted towards disadvantaged youth, by \$450,000, including \$300,000 general revenue.

From \$300,000 to \$0 from General Revenue Fund.

From \$150,000 to \$0 from Federal Funds.

From \$10,382,834 to \$9,580,688 in total for the section.

Section 11.220

I hereby veto \$255,370, including \$171,315 general revenue, for the purpose of funding the Children's Division field staff and operations. I proposed this reduction as part of my budget recommendations. This veto is necessary to ensure a balanced budget.

Personal Service and/or Expense and Equipment

From \$24,335,098 to \$24,163,783 in total for general revenue.

From \$43,990,494 to \$43,906,439 in total for federal funds

From \$68,416,074 to \$68,160,704 in total for the section.

Section 11.435

I hereby veto \$2,335,052 federal funds for the purpose of funding pharmaceutical payments under the Medicaid and the Missouri Rx Plan. The appropriation is being reduced to reflect the anticipated spending level.

From \$552,108,763 to \$549,773,711 in total from Federal Funds.

From \$1,204,058,364 to \$1,201,723,312 in total for the section.

Section 11.455

I hereby veto \$1,250,000, including \$500,000 general revenue, for a rate increase for emergency room physicians. This veto is necessary to ensure a balanced budget.

From \$136,866,955 to \$136,366,955 in total from General Revenue Fund.

From \$239,256,381 to \$238,506,381 in total from Federal Funds.

From \$380,182,890 to \$378,932,890 in total for the section.

Section 11.470

I hereby veto \$250,000 general revenue for expansion of the Program for All-Inclusive Care for the Elderly. This veto is necessary to ensure a balanced budget.

From \$102,835,653 to \$102,585,653 in total from General Revenue Fund.

From \$434,962,159 to \$434,712,159 in total for the section.

Section 11.475

I hereby veto \$1,250,000, including \$500,000 general revenue, for a rate increase for emergency air ambulance services. This veto is necessary to ensure a balanced budget.

For the purpose of funding non-institutional services.
From \$41,168,735 to \$40,668,735 from General Revenue Fund.
From \$68,618,494 to \$67,868,494 from Federal Funds.
From \$143,457,523 to \$142,207,523 in total for the section.

Section 11.480

I hereby veto \$14,748,419, including \$5,526,185 general revenue, for the purpose of funding the payment to comprehensive prepaid health care plans or for payments to providers of health care services. The appropriation is being reduced to reflect the anticipated spending level, which reduces the trend adjustments for the Fiscal Year 2006 managed care contract.

From \$167,945,036 to \$162,418,851 in total from General Revenue Fund.
From \$563,519,592 to \$554,297,358 in total from Federal Funds.
From \$905,280,729 to \$890,532,310 in total for the section.

Section 11.485

I hereby veto \$1,002,421, including \$552,814 general revenue, for the purpose of funding hospital care services within the Division of Medical Service. The appropriation is being reduced to reflect the anticipated spending level.

From \$20,841,593 to \$20,288,779 in total from General Revenue Fund.
From \$373,748,282 to \$373,298,675 from Federal Funds.
From \$654,051,121 to \$653,048,700 in total for the section.

Section 11.505

I hereby veto \$4,550, including \$1,741 general revenue, for funding extended women's health services. The appropriation is being reduced to reflect the anticipated spending level, which reduces the trend adjustments for the Fiscal Year 2006 managed care contract.

From \$699,259 to \$697,518 in total from General Revenue Fund.
From \$1,827,366 to \$1,824,557 from Federal Funds.
From \$2,724,793 to \$2,720,243 in total for the section.

Section 11.510

I hereby veto \$584,476, including \$286,259 general revenue, for the children's health insurance program within the Division of Medical Services. The appropriation is being reduced to reflect the anticipated spending level, which reduces the trend adjustments for the Fiscal Year 2006 managed care contract.

From \$19,067,544 to \$18,781,285 in total from General Revenue Fund.
From \$98,812,302 to \$98,514,085 in total from Federal Funds.
From \$138,300,839 to \$137,716,363 in total for the section.

On June 23, 2005, I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

June 23, 2005

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Bill No. 13** entitled:

AN ACT

To appropriate money for real property leases, related services, utilities, systems furniture, and structural modifications for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2005 and ending June 30, 2006.

Section 13.137

I hereby veto \$155,760 for leasing costs of the Office of the State Public Defender System. This veto is necessary to ensure a balanced budget.

Said section is vetoed in its entirety by \$155,760 to \$0 from General Revenue.
From \$155,760 to \$0 in total for the section.

On June 23, 2005 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Bill No. 13**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt
Governor

July 14, 2005

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **House Bill No. 524** entitled:

AN ACT

To repeal section 105.473, RSMo, and to enact in lieu thereof one new section relating to lobbyist duties.

I disapprove of **House Bill No. 524**. My reasons for disapproval are as follows:

This bill amends §105.473 RSMo in a manner that would remove a provision requiring a lobbyist or lobbyist principal to file information with the Missouri Ethics Commission that discloses which legislative initiatives that the lobbyist or lobbyist principal supports or opposes. Further, the required disclosure identifies who retained the lobbyists' services for the listed legislative initiatives.

Current law enables the Ethics Commission to amass this important information and create a useful repository of lobbyists' and lobbyist principals' activities for Missouri citizens. This provides all Missourians, including journalists and other news organization, with a valuable resource that allows them to determine what legislative initiatives their elected officials are being asked to consider by special interest groups, corporations and other interested parties.

It is important for citizens to be aware of the activities of well organized and well funded special interest groups and other entities.

For all of the reasons mentioned above, I am returning **House Bill No. 524** without my approval.

Respectfully submitted,

/s/ Matt Blunt
Governor

July 14, 2005

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you **House Committee Substitute for House Bill No. 525** entitled:

AN ACT

To repeal sections 105.466, 105.473, 105.485, 105.487, 105.489, 105.492, 105.957, 105.961, 105.963, 105.971, 105.973, 115.157, 115.315, 115.327, 130.011, 130.021, 130.036, 130.041, 130.046, 130.049, 130.050, and 130.057, RSMo, and to enact in lieu thereof twenty-two new sections relating to ethics, with penalty provisions.

I disapprove of **House Committee Substitute for House Bill No. 525**. My reasons for disapproval are as follows:

This bill amends §105.473 RSMo in a manner that would remove a provision requiring a lobbyist or lobbyist principal to file information with the Missouri Ethics Commission that discloses with legislative initiatives that the lobbyist who retained the lobbyists' services for the listed legislative initiatives.

Current law enables the Ethics Commission to amass this important information and create a useful repository of lobbyists' and lobbyist principals' activities for Missouri citizens. This provides all Missourians, including journalists and other news organizations, with a valuable resource that allows them to determine what legislative initiatives their elected officials are being asked to consider by special interest groups, corporations and other interested parties.

It is important for citizens to be aware of the activities of well organized and well funded special interests groups and other entities

For all of the reasons mentioned above, I am returning **House Committee Substitute for House Bill No. 525** without my approval.

Respectfully submitted,

/s/ Matt Blunt
Governor

HOUSE BILLS VETOED FROM THE FIRST REGULAR SESSION

Speaker Jetton read the following House Bill vetoed from the First Regular Session: **CCS SCS HCS HB 3**.

Representative Baker (25) moved that Section 3.227 of **CCS SCS HCS HB 3** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 084

Aull	Baker 25	Bean	Behnen	Bivins
Bland	Bowman	Boykins	Bringer	Brooks
Brown 50	Bruns	Burnett	Casey	Chinn
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Day	Deeken	Donnelly	Dougherty	El-Amin
Faith	Fisher	Fraser	George	Goodman
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 47	Johnson 61	Johnson 90
Jolly	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nance	Nieves	Nolte
Oxford	Parson	Robb	Robinson	Roorda
Rucker	Sander	Schoemehl	Selby	Shoemyer
Silvey	Skaggs	Spreng	Stevenson	Storch
Swinger	Villa	Vogt	Wallace	Walsh
Walton	Whorton	Wildberger	Witte	Wright 159
Wright-Jones	Yaeger	Young	Zweifel	

NOES: 070

Baker 123	Bearden	Black	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Fares	Flook	Franz	Guest
Hobbs	Hunter	Ice	Jackson	Jones
Kelly	Kingery	Lager	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Ruestman	Rupp	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Smith 14	Smith 118
Stefanick	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brown 30	Marsh	Page	Parker
Salva	Wagner			

VACANCIES: 002

Representative Kratky moved that Section 3.235 of **CCS SCS HCS HB 3** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 071

Aull	Baker 25	Behnen	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chinn	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Faith	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Nance	Nolte
Oxford	Parker	Robb	Robinson	Roorda
Rucker	Schneider	Schoemehl	Selby	Shoemyer
Silvey	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 083

Baker 123	Bean	Bearden	Bivins	Black
Bruns	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nieves	Parson	Pearce	Phillips	Pollock
Portwood	Pratt	Quinn	Rector	Richard
Roark	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Brown 30	Marsh	Page	Salva
Self	Wagner			

VACANCIES: 002

Speaker Jetton read the following House Bill vetoed from the First Regular Session: **CCS SCS HCS HB 6**.

Representative Harris (110) moved that Section 6.150 of **CCS SCS HCS HB 6** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 067

Aull	Baker 25	Behnen	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chinn	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 61
Johnson 90	Jolly	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McGhee
Meadows	Meiners	Nance	Nolte	Oxford
Robinson	Roorda	Rucker	Schoemehl	Selby
Shoemyer	Silvey	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 088

Baker 123	Bean	Bearden	Bivins	Black
Bruns	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Icet	Jackson	Johnson 47	Jones	Kelly
Kingery	Kraus	Lager	Lembke	Lipke
Loehner	May	Moore	Munzlinger	Muschany
Myers	Nieves	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Marsh	Page	Salva
Wagner				

VACANCIES: 002

Speaker Jetton read the following House Bill vetoed from the First Regular Session: **CCS SCS HCS HB 7**.

Representative Kuessner moved that Section 7.115 of **CCS SCS HCS HB 7** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 068

Aull	Baker 25	Bean	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chinn	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Deeken	Donnelly	Dougherty
El-Amin	Faith	Fraser	George	Goodman
Harris 23	Harris 110	Haywood	Henke	Hoskins
Hubbard	Hughes	Johnson 61	Johnson 90	Jolly
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	Meadows	Meiners	Oxford
Robinson	Roorda	Rucker	Schoemehl	Selby
Shoemyer	Silvey	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Wallace	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

NOES: 087

Baker 123	Bearden	Behnen	Bivins	Black
Bruns	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fares	Fisher	Flook	Franz	Guest
Hobbs	Hunter	Ice	Jackson	Johnson 47
Jones	Kelly	Kingery	Kraus	Lager
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 137	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Marsh	Page	Salva
Wagner				

VACANCIES: 002

Representative Dempsey assumed the Chair.

Speaker Jetton resumed the Chair.

Representative Johnson (90) moved that Section 7.175 of **CCS SCS HCS HB 7** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 067

Aull	Baker 25	Bland	Bowman	Boykins
Bringer	Brooks	Brown 50	Burnett	Casey
Chinn	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Faith
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Hughes	Johnson 47
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nance	Nolte	Oxford
Robinson	Roorda	Rucker	Schoemehl	Selby
Shoemyer	Silvey	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 088

Baker 123	Bean	Bearden	Behnen	Bivins
Black	Bruns	Cooper 120	Cooper 155	Cooper 158
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dempsey	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Fares	Fisher	Flook
Franz	Goodman	Guest	Hobbs	Hunter
Icet	Jackson	Jones	Kelly	Kingery
Kraus	Lager	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Myers	Nieves	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Self	Smith 14	Smith 118
Stefanick	Stevenson	St. Onge	Sutherland	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 137
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 006

Avery	Brown 30	Marsh	Page	Salva
Wagner				

VACANCIES: 002

Speaker Jetton read the following House Bill vetoed from the First Regular Session: **CCS SCS HCS HB 8**.

Representative Wildberger moved that Section 8.195, Line 7, of **CCS SCS HCS HB 8** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 080

Aull	Baker 25	Bean	Behnen	Bivins
Bland	Bowman	Boykins	Bringer	Brooks
Brown 50	Burnett	Casey	Chinn	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Day
Deeken	Donnelly	Dougherty	Dusenberg	El-Amin
Faith	Fisher	Fraser	George	Harris 23
Harris 110	Haywood	Henke	Hoskins	Hubbard
Hughes	Jackson	Johnson 61	Johnson 90	Jolly
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	May	Meadows
Meiners	Nance	Nolte	Oxford	Robinson
Roorda	Rucker	Schneider	Schoemehl	Selby
Shoemyer	Silvey	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Walsh	Walton
Wells	Whorton	Wildberger	Wilson 130	Witte
Wright 159	Wright-Jones	Yaeger	Young	Zweifel

NOES: 073

Bearden	Black	Bruns	Cooper 120	Cooper 155
Cooper 158	Cunningham 145	Cunningham 86	Davis	Dempsey
Denison	Dethrow	Dixon	Emery	Ervin
Fares	Flook	Franz	Goodman	Guest
Hobbs	Hunter	Icet	Johnson 47	Jones
Kelly	Kingery	Lager	Lembke	Lipke
Loehner	McGhee	Moore	Munzlinger	Muschany
Myers	Nieves	Parker	Parson	Pearce
Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Ruestman
Rupp	Sander	Sater	Schaaf	Schad
Schlottach	Self	Smith 14	Smith 118	Stefanick
Stevenson	St. Onge	Sutherland	Threlkeld	Tilley
Viebrock	Wasson	Weter	Wilson 119	Wood
Wright 137	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Baker 123	Brown 30	Marsh	Page
Salva	Wagner	Wallace		

VACANCIES: 002

Speaker Jetton read the following House Bill vetoed from the First Regular Session: **CCS SCS HCS HB 10**.

Representative Shoemyer moved that Section 10.695 of **CCS SCS HCS HB 10** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 068

Aull	Baker 25	Behnen	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chinn	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Faith	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kraus	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McGhee	Meadows	Meiners	Nance	Nolte
Oxford	Robinson	Roorda	Rucker	Schoemehl
Selby	Shoemyer	Silvey	Skaggs	Spreng
Storch	Swinger	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zweifel		

NOES: 085

Baker 123	Bean	Bearden	Bivins	Black
Bruns	Cooper 120	Cooper 158	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Lager
Lembke	Lipke	Loehner	May	Moore
Munzlinger	Muschany	Myers	Nieves	Parker
Parson	Pearce	Phillips	Pollock	Portwood
Pratt	Quinn	Rector	Richard	Roark
Robb	Ruestman	Rupp	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Self
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brown 30	Cooper 155	Kratky	Marsh
Page	Salva	Wagner		

VACANCIES: 002

Representative Rector assumed the Chair.

Speaker Jetton resumed the Chair.

Representative Storch moved that Section 10.705 of **CCS SCS HCS HB 10** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 067

Aull	Baker 25	Behnen	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chinn	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Faith	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kraus	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nance	Nolte	Oxford
Robinson	Roorda	Rucker	Schoemehl	Selby
Shoemyer	Silvey	Skaggs	Spreng	Storch
Swinger	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zweifel			

NOES: 086

Baker 123	Bean	Bearden	Bivins	Black
Bruns	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Fares	Fisher	Flook	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nieves	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Quinn	Rector	Richard
Roark	Robb	Ruestman	Rupp	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Brown 30	Kratky	Marsh	Page
Pratt	Salva	Wagner		

VACANCIES: 002

Speaker Jetton read the following House Bill vetoed from the First Regular Session: **CCS SCS HCS HB 11**.

Representative Donnelly moved that Section 11.470 of **CCS SCS HCS HB 11** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Bean	Bland	Bowman
Boykins	Bringer	Brooks	Brown 50	Burnett
Casey	Chinn	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fraser	George	Harris 23	Harris 110	Haywood
Henke	Hoskins	Hubbard	Johnson 61	Johnson 90
Jolly	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Nance	Nolte	Oxford	Robinson	Roorda
Rucker	Sander	Schoemehl	Selby	Shoemyer
Silvey	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zweifel				

NOES: 085

Baker 123	Bearden	Behnen	Bivins	Black
Bruns	Cooper 120	Cooper 155	Cooper 158	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dempsey
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Franz
Goodman	Guest	Hobbs	Hunter	Icet
Jackson	Johnson 47	Jones	Kelly	Kingery
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nieves	Parker	Parson	Pearce	Phillips
Pollock	Portwood	Pratt	Quinn	Rector
Richard	Roark	Robb	Ruestman	Rupp
Sater	Schaaf	Schad	Schlottach	Schneider
Self	Smith 14	Smith 118	Stefanick	Stevenson
St. Onge	Sutherland	Threlkeld	Tilley	Viebrock
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 137	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Brown 30	Flook	Hughes	Kratky
Marsh	Page	Salva	Wagner	Wallace

VACANCIES: 002

Speaker Jetton read the following House Bills vetoed from the First Regular Session: **CCS SCS HB 13, HB 524 and HCS HB 525.**

HOUSE RESOLUTION

Representative Dempsey offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS SCS HB 13**, **HB 524** and **HCS HB 525** when the bills were called by the Speaker.

On motion of Representative Dempsey, **House Resolution No. 2** was adopted.

ADJOURNMENT

On motion of Representative Dempsey, the Veto Session of the Ninety-third General Assembly, First Regular Session, adjourned sine die pursuant to the Constitution.

ROD JETTON
Speaker of the House

STEPHEN S. DAVIS
Chief Clerk of the House